

# INFORMAL CONSOLIDATED VERSION OF THE CAPACITY MARKET RULES – CP373 Review

14 September 2023

## CP373 proposed changes to CM Rules

### Scope

Change Proposal CP373 was circulated to CMAG members prior to the CMAG meeting held on 18<sup>th</sup> July. In that session, members requested a full walkthrough of the proposed rules changes to support review and in preparation for the September CMAG.

CP373 considers the following set of changes.

- Metering responsibility moving from DB to CMSB not being required for Prequalification
- Moving data items from CM Register to CM Metering Register
- DSR Component Reallocation moving from DB to CMSB
- A CMSB Portal

plus

- From CMAG #11, removing the general requirement for Single Line Diagrams

This version incorporates amendments from the draft rules published to CMAG in July received by the CMAG Secretariat via their rules review and in detailed rules walkthrough held with CMAG members on 7<sup>th</sup> September 2023.

The rules walkthrough completed comments up to the end of Chapter 8.

CHAPTER 1: GENERAL PROVISIONS

<b>Applicant Confidential Information</b>	means all data and other information of whatever nature and in whatever form, including but not limited to written, oral, electronic and in a visual or machine-readable form (including but not limited to CD-ROM, magnetic and digital form) and relating to the affairs of an Applicant that is furnished to the Delivery Body, <u>or CM Settlement Body</u> by the Applicant or an Applicant-related Party under or in accordance with the Rules, the Regulations or the Auction Guidelines
<b>Capacity Market Register</b>	has the meaning given to that term in Regulation 2
<b>Capacity Market Metering Register</b>	<u>means a register maintained by the CM Settlement Body to record approved metering solutions and related information, and metering related obligations set out in Chapter 7 for each CMU and DSR Component Reallocation set out in Chapter 8.3.4 from time to time</u>
<b>CM Settlement Body Portal</b>	<u>means the IT infrastructure online service through which relevant Rules are administered by the CM Settlement Body or its agents, and pursuant to which, without limitation,:</u> <del>metering data is submitted</del> <u>etc Information pertinent to an approved metering solution and all notifications to be made by, or to, the CM Settlement Body in relation to the relevant Rules must be submitted</u>
<b>CMRS CMU</b>	means a Transmission CMU or a CMRS Distribution CMU
<b>Metering Assessment</b>	means a questionnaire relating to the metering arrangements for a CMU, hosted on the <u>CM Settlement</u> <del>EMR Delivery</del> Body Portal
<b>Metering Statement</b>	means a statement provided <del>by an Applicant</del> which must include, as applicable, the metering information set out in Schedule 6 of the Rules

1.6 Notices

- 1.6.1 All notices, submissions and other communications by, or to, the Delivery Body pursuant to the Regulations or the Rules must be in writing and:
- (a) where pursuant to Rule 5.6 or Rule 5.10, submitted via the IT Auction System; and

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(b) for all other purposes, submitted via the EMR Delivery Body Portal.

1.6.2 All notices, submissions and other communications by, or to, the Auctioneer pursuant to the Regulations or the Rules must be in writing and submitted via the IT Auction System.

1.6.2A3 All notices, submissions and or communications by, or to, the CM Settlement Body pursuant to the Regulations or the Rules must be in writing and:

(a) where pursuant to specific rule obligation, submitted via the CM Settlement Body Portal

(b) for all other purposes, submitted via email.

1.6.433 Neither the Delivery Body, ~~nor~~ the Auctioneer or the CM Settlement Body has any obligation to respond to, or otherwise act upon, any notice, submission or other communication received by it other than in accordance with Rule 1.6.1, ~~or~~ Rule 1.6.2 or Rule 1.6.2A (as applicable) which it will be deemed not to have received for any purposes under the Regulations or the Rules.

## CHAPTER 3: PREQUALIFICATION INFORMATION

### 3.4.3 Nominations relating to the CMU

Each Applicant must:

- (a) specify in the Application:
  - (i) the CMU to which the Application relates (including a description of, the full postal address with postcode, if available, and the two letter prefix and six-figure Ordnance Survey grid reference numbers of, the Generating Unit(s) and for Proven DSR CMUs, their CMU Component(s), or of the Electricity Interconnector). In the event that no postcode has yet been assigned to the CMU at the point the Applicant submits the Application, the Applicant should provide the Delivery Body with notice of this fact. The Applicant must as soon as it is reasonably practicable notify the Delivery Body of the CMU's postcode once it has been allocated by Royal Mail;
  - ~~(ii) all relevant Meters, and Meter Point Administration Numbers, for all the relevant Meter(s), except in respect of Unproven DSR CMUs Not used;~~
  - (iii) BM Unit Identifiers (as defined in the Balancing and Settlement Code), if applicable; and
  - ~~(iv) in the case of an Interconnector CMU, the relevant interconnector identifier(s) as specified for the purposes of the BSC in file CDCA-1041 of the Central Data Collection Agent (CDCA);~~
- (b) ~~except in respect of an Unproven DSR CMU, if any Meter Point Administration Number specified in the Application has already been:~~
  - ~~(i) registered to another CMU which is a Capacity Committed CMU in respect of one or more of the same Delivery Years; or~~
  - ~~(ii) specified in a prior Application submitted in respect of another CMU in the same Prequalification Window;~~~~include in the Application a declaration explaining how the two CMUs relate and how metering will separately identify the output of each of them Not used.~~

**Commented [HB1]:** All removed Chapter 3 sections have been added in Chapter 8

### 3.6.4 Metering Arrangements

- ~~(a) Each Applicant for an Existing Generating CMU must, subject to Rule 3.6.4(b):~~
  - ~~(i) provide detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located; and~~
  - ~~(ii) complete a Metering Assessment in relation to that CMU;~~
- ~~(b) An Applicant may elect to defer the requirements in Rule 3.6.4(a) until after the Capacity Auction to which the application relates, in which case the Applicant must declare that it will provide detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located and complete a Metering Assessment for that Existing Generating CMU by:~~
  - ~~(i) no later than the date falling three years prior to the start of the relevant Delivery Year in the case of an Existing Generating CMU that has been awarded a Capacity Agreement in a T-4 Auction; or~~

- (ii) ~~no later than the date falling six months prior to the start of the relevant Delivery Year in the case of an Existing Generating CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or~~
- (iii) ~~no later than the date falling four months prior to the start of the relevant Delivery Year where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months.~~
- (e) ~~The Delivery Body must send to the CM Settlement Body a copy of any completed Metering Assessment, or other information provided by the applicant under (a), (b) and (d).~~
- (d) ~~An Applicant may amend a Metering Assessment completed in compliance with Rule 3.6.4(a)(ii), provided that:~~
  - (i) ~~if the application relates to a T-4 Auction, any amendments are made by the earlier of:~~
    - (aa) ~~the earliest date the Applicant provides any Metering Test Certificate; and~~
    - (bb) ~~the date falling 18 months prior to the start of the first Delivery Year; and~~
  - (ii) ~~if the application relates to a T-1 Auction or where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months, any amendments are made by the earlier of:~~
    - (aa) ~~the earliest date the Applicant provides any Metering Test Certificate; and~~
    - (bb) ~~the date falling two weeks prior to the start of the first Delivery Year~~Not used.

### 3.6A.3 Metering Arrangements

- (a) ~~Each Applicant for an Existing Interconnector CMU must, subject to Rule 3.6A.3(aa):~~
  - (i) ~~provide detailed line diagrams showing the location at which the Interconnector CMU is metered; and~~
  - (ii) ~~complete a Metering Assessment in relation to that CMU.~~
    - (aa) ~~An Applicant may elect to defer the requirements in Rule 3.6A.3(a) until after the Capacity Auction to which the application relates, in which case the Applicant must declare that it will provide detailed line diagrams showing the location at which the Interconnector CMU is metered and complete a Metering Assessment for that Existing Interconnector CMU by:~~
      - (i) ~~no later than the date falling three years prior to the start of the relevant Delivery Year in the case of an Existing Interconnector CMU that has been awarded a Capacity Agreement in a T-4 Auction; or~~
      - (ii) ~~no later than the date falling six months prior to the start of the relevant Delivery Year in the case of an Existing Interconnector~~

CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or

~~(iii) no later than the date falling four months prior to the start of the relevant Delivery Year where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months.~~

~~(b) The Delivery Body must send to the CM Settlement Body a copy of any completed Metering Assessment or other information provided by an Applicant under (a), (aa) and (c).~~

~~(c) An Applicant may amend a Metering Assessment completed in compliance with Rule 3.6A.3(a)(ii), provided that:~~

~~(i) if the application relates to a T-4 Auction, any amendments are made by the earlier of:~~

~~(aa) the earliest date the Applicant provides any Metering Test Certificate; and~~

~~(bb) the date falling 18 months prior to the start of the first Delivery Year; and~~

~~(ii) if the application relates to a T-1 Auction or where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months, any amendments are made by the earlier of:~~

~~(aa) the earliest date the Applicant provides any Metering Test Certificate; and~~

~~(bb) the date falling two weeks prior to the start of the first Delivery Year Not used.~~

#### 3.9.4 Metering Arrangements

~~(a) Each Applicant for a Proven DSR CMU must, subject to Rule 3.9.4(b):~~

~~(i) provide detailed line diagrams showing electrical configurations and metering sites at which the DSR CMU Components are located; and~~

~~(ii) complete a Metering Assessment in relation to that CMU.~~

~~(b) An Applicant may elect to defer the requirements in Rule 3.9.4(a) until after the Capacity Auction to which the Application relates, in which case the Applicant must declare that it will provide detailed line diagrams showing electrical configurations and metering sites at which the Proven DSR CMU Components are located and complete a Metering Assessment for that Proven DSR CMU by:~~

~~(i) no later than the date falling three years prior to the start of the relevant Delivery Year in the case of a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction; or~~

~~(ii) no later than the date falling six months prior to the start of the relevant Delivery Year in the case of a Proven DSR CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or~~

~~(iii) no later than the date falling four months prior to the start of the relevant Delivery Year where the time period between the Auction Results Day~~

~~and the start of the Delivery Year is less than eight months.~~

- ~~(e) The Delivery Body must send to the CM Settlement Body a copy of any completed Metering Assessment, or other information provided by the applicant under (a), (b) and (d).~~
- ~~(d) An Applicant may amend a Metering Assessment completed in compliance with Rule 3.9.4(a)(ii), provided that:~~
  - ~~(i) if the application relates to a T-4 Auction, any amendments are made by the earlier of:
    - ~~(aa) the earliest date the Applicant provides any Metering Test Certificate;~~
    - ~~and~~
    - ~~(bb) the date falling 18 months prior to the start of the first Delivery Year;~~
    - ~~and~~~~
  - ~~(ii) if the application relates to a T-1 Auction or where the time period between the Delivery Year and the auction is less than eight months, any amendments are made by the earlier of:
    - ~~(aa) the earliest date the Applicant provides any Metering Test Certificate;~~
    - ~~and~~
    - ~~(bb) the date falling two weeks prior to the start of the first Delivery Year~~Not used.~~

### 3.10.2 Required Testing

Each Applicant for an Unproven DSR CMU must confirm that it will complete in relation to that CMU prior to the date falling one month before the commencement of the Delivery Year to which the Capacity Auction relates (or in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling one month before the commencement of the second Delivery Year to which the Capacity Auction relates), a DSR Test or Joint DSR Test:

- ~~(b) prior to the date falling four months before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling four months before the commencement of the second Delivery Year to which the Capacity Auction relates), a Metering Assessment (including providing line diagrams as described in Rule 3.9.4(a)(i));~~ and
- ~~(c) prior to the date falling two weeks before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling two weeks before the commencement of the second Delivery Year to which the Capacity Auction relates), if required, a Metering Test.~~

### 3.11 Opt-out Notifications

- 3.11.1 For each Capacity Auction, if no Application is made in relation to a Mandatory CMU, the person who is the legal owner of that Mandatory CMU must, during the

Prequalification Window, submit an Opt-out Notification to the Delivery Body.

3.11.2 An Opt-out Notification must state:

- (a) the name of the CMU owner submitting the notification;
- (b) if relevant, the corporate registration number of the CMU owner;
- (c) contact details, including registered address of the CMU owner and name of authorised contact person at the CMU owner who is responsible for liaising with the Delivery Body in relation to the Opt-out Notification;
- (d) the CMU to which the Opt-out Notification relates including a description of, and the full postal address with postcode and the two letter prefix and six-figure Ordnance Survey grid reference numbers of, the Electricity Interconnector or the Generating Unit(s) and/or DSR CMU Component(s) ~~and Meter Point Administration Numbers for all the relevant Meter(s)~~;
- (e) the Connection Capacity of the CMU for the Delivery Year to which the Capacity Auction relates;
- (f) whether the CMU:
  - (i) will be closed down, decommissioned or otherwise non-operational by the commencement of the Delivery Year to which the Capacity Auction relates;
  - (ii) will be temporarily non-operational for all the Winter of the Delivery Year to which the Capacity Auction relates but will be operational thereafter; or
  - (iii) will remain operational during the Delivery Year to which the Capacity Auction relates,

in each case providing a summary of the reasons for that statement.

3.11.2A If an Opt-out Notification states, pursuant to Rule 3.11.2(f)(iii), that the CMU will remain operational during the Delivery Year, the summary of the reasons for that statement must explain if a reason for the statement is that the CMU comprises of at least one Fossil Fuel Component or at least one Storage Facility which has part or all of its electricity requirements met by an Associated Fossil Fuel Component, any of which would exceed the Fossil Fuel Emissions Limit if a Fossil Fuel Emissions Declaration in respect of the CMU were made as part of an Application for Prequalification.

3.11.2B Pursuant to 3.11.2 (d) following provision of an Opt-out Notification, a Mandatory CMU must provide Meter Point Administration Numbers for all the relevant Meters to the CM Settlement Body prior to the relevant Delivery Year.

3.11.3 The Delivery Body must notify the CM Settlement Body of any Opt-out Notification with respect to a CMU that makes a statement pursuant to Rule 3.11.2(f)(ii) and the CM Settlement Body must notify the Delivery Body if any such CMU provides electricity during the relevant Winter.

3.11.4 [Omitted]

3.11.5 The person submitting an Opt-out Notification must make a declaration of the matters set out in Exhibit C as at the date of the Opt-out Notification.

3.11.6 For the purposes of Rule 3.11.5, Exhibit C is to be read as if references to the Applicant or to Applicant-related Parties were references to the person submitting



the Opt-out Notification.

### 3.16 Provision of information by Delivery Body

- 3.16.1 The Delivery Body must send the following relevant component information received as part of Prequalification to the CM Settlement Body as reasonably practical. —

Edited version

## CHAPTER 4: DETERMINATION OF ELIGIBILITY

### 4. Determination of eligibility

#### 4.4 Decisions to be made by the Delivery Body

- 4.4.1 The Delivery Body must, for each CMU for which an Application has been received, determine whether the CMU has prequalified for the Capacity Auction (the "Prequalification Decision").
- 4.4.2 Subject to Rule 3.8.1A(c)(ii), the Delivery Body must not Prequalify a CMU where:
- (a) it is aware that the Application has not been completed or submitted in accordance with the Rules;
  - (aa) it reasonably believes that any information or declaration submitted in or with an Application does not comply with the requirements in Rule 3.12.1;
  - (b) the required Additional Information is missing;
  - (c) any Meter Point Administration Number specified in relation to the CMU pursuant to Rule 3.4.3(a)(ii) has already been registered to another CMU in respect of which a person either:
    - (i) has a Capacity Agreement in relation to one or more of the same Delivery Years; or
    - (ii) has submitted a prior Application in the same Prequalification Window,unless the Application includes a declaration under Rule 3.4.3(b); or
  - (d) any Generating Unit comprised in a CMU which is also a BM Unit has already been registered to another CMU in respect of which a person either:
    - (i) has a Capacity Agreement in relation to one or more of the same Delivery Years; or
    - (ii) has submitted a prior Application in the same Prequalification Window ;
  - (e) the Delivery Body is unable to obtain any data with respect to the physically generated net output for a Generating Unit comprised in an Existing Generating CMU in any Settlement Period nominated by the Applicant pursuant to Rule 3.6.1;
  - (f) the physically generated net outputs, or Metered Volumes where applicable, of an Existing Generating CMU in the Settlement Periods nominated by the Applicant pursuant to Rule 3.6.1 are not each greater than the Anticipated De-rated Capacity;
  - (g) the Delivery Body is unable to obtain any data with respect to the Net Output of an Existing Interconnector CMU in any Settlement Period nominated by the Applicant pursuant to Rule 3.6A.1;
  - (h) the Net Outputs of an Existing Interconnector CMU in the Settlement Periods nominated by the Applicant pursuant to Rule 3.6A.1, as recorded for the purposes of the BSC by file CDCA-I041 of the Central Data Collection Agent (CDCA), are not each greater than zero.; or

- (i) the Applicant is required to provide a Fossil Fuel Emissions Commitment under Rule 3.7.4, Rule 3.8.3 or Rule 3.10.4, but has not done so or has provided a Fossil Fuel Emissions Commitment which the Delivery Body considers does not fully address the matters set out in Exhibit ZB
- (j) the Applicant is required to provide a Fossil Fuel Emissions Declaration under Rule 3.6.5 or Rule 3.9.5, but has not done so or has provided a Fossil Fuel Emissions Declaration which the Delivery Body considers does not fully address the matters set out in Exhibit ZA; or
- (k) the Applicant has provided a Fossil Fuel Emissions Declaration under Rule 3.6.5 or Rule 3.9.5 in which the Applicant declares that in respect of a Fossil Fuel Component or Associated Fossil Fuel Component specified in the declaration (a "relevant Fossil Fuel Component"):
  - (i) the relevant Fossil Fuel Component exceeds the Fossil Fuel Emissions Limit (and, in the case of a relevant Fossil Fuel Component with a Commercial Production Start Date before 4 July 2019, no value for the Fossil Fuel Yearly Emissions has been provided); or
  - (ii) in the case of a relevant Fossil Fuel Component with a Commercial Production Start Date before 4 July 2019, the relevant Fossil Fuel Component exceeds both the Fossil Fuel Emissions Limit and the Fossil Fuel Yearly Emissions Limit

## CHAPTER 6: CAPACITY AGREEMENTS

### 6.7 Achieving the Substantial Completion Milestone

- 6.7.1 A Capacity Provider is not liable for, or entitled to, any payments in respect of a particular CMU if the relevant System Stress Event precedes the date on which the Substantial Completion Milestone for such CMU is reached.
- 6.7.2 In the case of a Generating CMU, a New Build CMU or a Refurbishing CMU will have met its Substantial Completion Milestone obligation if:
- (a) the corresponding Generating Unit(s) is/are Operational with an aggregate physical generating capacity (in MW) which, after being multiplied by its De-rating Factor, equals or exceeds 90 per cent of its Capacity Obligation;
  - (b) the Capacity Provider has ~~provided detailed line diagrams and~~ completed a Metering Assessment as required by Rule 8.3.3(ba); and
  - (c) where required under Rule 8.3.3(d), the Capacity Provider has provided a Metering Test Certificate.
- 6.7.3 In the case of an Interconnector CMU, a New Build CMU or a Refurbishing CMU will have met its Substantial Completion Milestone obligation if:
- (a) the corresponding Electricity Interconnector is Operational with the physical capability of transmitting a Net Output which, after being multiplied by its De-rating Factor, equals or exceeds 90 per cent of its Capacity Obligation;
  - (b) the Capacity Provider has ~~provided detailed line diagrams and~~ completed a Metering Assessment as required by Rule 8.3.3(ba); and
  - (c) where required under Rule 8.3.3(d), the Capacity Provider has provided a Metering Test Certificate.
- 6.8.3 A Prospective Generating CMU has reached its Minimum Completion Requirement if:
- (a) the corresponding Generating Unit(s) is/are Operational with an aggregate physical generating capacity which, after being multiplied by its De-rating Factor, exceeds 50 per cent of its Capacity Obligation;
  - (b) the Capacity Provider has ~~provided detailed line diagrams and~~ completed a Metering Assessment as required by Rule 8.3.3(ba); and
  - (c) where required under Rule 8.3.3(d), the Capacity Provider has provided a Metering Test Certificate.
- 6.8.3 A Prospective Interconnector CMU has reached its Minimum Completion Requirement if:
- (a) the CMU is Operational with a Connection Capacity which, after being multiplied by its De-rating Factor, exceeds 50 per cent of its Capacity Obligation;
  - (b) the Capacity Provider has ~~provided detailed line diagrams and~~ completed a Metering Assessment as required by Rule 8.3.3(ba); and
  - (c) where required under Rule 8.3.3(d), the Capacity Provider has provided a

Metering Test Certificate.

- (ha) where the Capacity Agreement relates to an Existing CMU, a Proven DSR CMU or an Unproven DSR CMU and, ~~in any such case, the Capacity Provider has made a declaration in its Application in accordance with Rule 3.6.4(b), 3.6A.3(aa), 3.9.4(b) or 3.10.2(b) that it will complete a Metering Assessment for that CMU;~~ the Capacity Provider has failed to complete a Metering Assessment in accordance with Rule 8.3.3(a) or 8.3.3(b);

## CHAPTER 7: CAPACITY MARKET REGISTER AND CAPACITY MARKET METERING REGISTER

### 7. Capacity Market Register and Capacity Market Metering Register

#### 7.1 Purpose of this Chapter

- 7.1.1 The Rules govern the establishment and maintenance by the Delivery Body of the Capacity Market Register and the Capacity Market Metering Register by the CM Settlement Body.

#### 7.2 Establishment, form and maintenance of the Capacity Market Register

- 7.2.1 The Delivery Body must establish and maintain a Capacity Market Register in accordance with the Regulations and the Rules.
- 7.2.2 The Capacity Market Register may be in electronic form.
- 7.2.3 The Capacity Market Register must be established by the time the Prequalification Window for the first Capacity Auction closes.
- 7.2.4 The Delivery Body and the CM Settlement Body will make arrangements for such data transmission facilities as are necessary to give the CM Settlement Body secure access to the Capacity Market Register.
- 7.2.5 The Delivery Body shall retain all data submitted to or stored on the Capacity Market Register (but not the Capacity Market Register itself) for a period of:
- (a) 5 years from the date on which it is received by the Delivery Body, in the case of data referred to in Rule 7.4.1 to Rule 7.4.4; and
  - (b) 5 years from the date of the expiry or earlier termination of the Capacity Agreement, in the case of data referred to in Rule 7.4.5.

#### 7.2A Establishment, form and maintenance of the Capacity Market Metering Register

- 7.2A.1 The CM Settlement Body must establish and maintain a Capacity Market Metering Register in accordance with the ~~Regulations and the Rules.~~
- 7.2A.2 The Capacity Market Metering Register may be in electronic form.
- 7.2A.3 The Capacity Market Metering Register must be established by the 2024 Prequalification Window ~~[TBD] the time the new version of the EMR Delivery Body Portal is implemented.~~

Commented [BV2]: CMAG workshop: Remove

7.2A.4 The Delivery Body and the CM Settlement Body will make arrangements for such data transmission facilities as are necessary to give the Delivery Body secure access to the Capacity Market Metering Register.

7.2A.5 The CM Settlement Body shall retain all data submitted to or stored on the Capacity Market Metering Register for a period of:

(a) 5 years from the date on which the content was received by the CM Settlement Body, in the case of data referred to in Rule 7.4A.1 to Rule 7.4.4; and

(b) 5 years from the date of the expiry or earlier termination of the Capacity Agreement, in the case of data referred to in Rule 7.4A.5.

#### 7.4 Contents of the Capacity Market Register

With respect to each Capacity Auction, the Delivery Body must ensure that the following entries are made on the Capacity Market Register:

7.4.1 On the day on which the Secretary of State is given the notification required by Regulation 23(1):

- (a) in relation to each Mandatory CMU and any CMU that is the subject of an Application:
- (i) the name of the Applicant;
  - (ia) an email address and telephone number that can be used by a person wishing to discuss secondary trading in relation to the CMU;
  - (ib) where the Applicant is a member of a Group, the name of the direct Holding Company for the Applicant;
  - (ic) a description of the CMU including (where applicable) each Generating Unit comprising such CMU and in the case of a Generating CMU, the Primary Fuel Type, Generating Technology Class, Connection Capacity and De-rated Capacity for the CMU and the Primary Fuel, Generating Technology Class, Connection Capacity and De-rated Capacity for each Generating Unit comprising such CMU;
  - (id) a description of the CMU including (where applicable) each DSR CMU Component comprising such CMU and in the case of a Proven DSR CMU, whether it includes a Permitted On-Site Generating Unit and if so the Primary Fuel and generating capacity (in MW) of the Permitted On-Site Generating Unit;
  - (ii) a description of the CMU including (where applicable) each Generating Unit or DSR CMU Component comprising such CMU and in the case of a Generating CMU, the Primary Fuel Type and Generating Technology Class for the CMU;
  - (iii) the full postal address with postcode, if available, and the two letter prefix and six-figure Ordnance Survey grid reference numbers of the CMU;
  - (iv) the Meter Point Administration Numbers for the relevant Meters relating to the CMUNot used;
  - (v) the Connection Capacity or DSR Capacity (as applicable) of the CMU; and

**Commented [HB3]:** Note there will be some duplication between CMR and CMMR, as DB would also include details on all components in the CMR.

**Commented [BV4R3]:** Majority of items in both registers will be static data items. For any more transient items it will be made clear in the guidance/working practices that there may be a slight delay in data on these items.

**Commented [BV5R3]:** If there are any discrepancies on on shared data items, a business process is/will be in place to update system data at source and this data item change will flow across and updated to DB/CMSB system data

- (vi) Not used
  - (vii) ~~the responses submitted in the Metering Assessment (if completed)~~ Not used.
  - (d) in relation to any Prequalified CMU:
    - (xi) ~~the results of the Metering Assessment for the CMU~~ Not used;
    - (xv) ~~for a DSR CMU, the status of the Components comprising the relevant CMU, which by default shall be listed as "Live" until such times as Rules 8.3.4(k) or 8.3.4(l) apply~~ Not used;
- 7.4.5 By no later than 5 Working Days after the date of issue of a Capacity Agreement Notice for a Capacity Committed CMU:
- (a) the unique identification number given to the Capacity Agreement Notice by the Delivery Body;
  - (b) the name of the Capacity Provider (the "Registered Holder"), being the name of the person to whom the Delivery Body awarded the Capacity Agreement, or, where there has been a subsequent transfer of all or part of that Capacity Agreement, the name of the Transferee;
  - (c) ~~BM Unit ID and other identification codes for the relevant Meters (as applicable)~~ Not used;
  - (l) ~~in relation to each Capacity Committed CMU is a Prospective CMU, an Existing CM, or a Proven DSR CMU or an Unproven DSR CMU whether the Capacity Provider is subject to a requirement to complete a Metering Assessment and, if so, the date by which it must be completed~~ Not used;
  - (la) ~~where applicable, the date on which a valid Metering Test Certificate was awarded to a Capacity Committed CMU which is a Prospective CMU, an Existing CMU, a Proven DSR CMU or an Unproven DSR CMU~~ Not used;

#### 7.4A Contents of the Capacity Market Metering Register

7.4A.1 With respect to each Capacity Auction, the CM Settlement Body must ensure that the following entries are made on the Capacity Market Metering Register from Prequalification Results DayTBD:

(a) Reference data, which, where applicable, refers to data items as defined in Rule 7.4 and 7.5 required to distinguish the relevant metering data Reference data:

- ~~the name of the Applicant~~
- ~~a description of the CMU including (where applicable) each Generating Unit comprising such CMU;~~
- ~~a description of the CMU including (where applicable) each DSR CMU Component comprising such CMU~~

(b) Metering data:

- i. the Meter Point Administration Numbers for the relevant Meters relating to the CMU;
- ii. whether the Capacity Provider is subject to a requirement to complete a

- Metering Assessment and, if so, the date by which it must be completed
- iii. where applicable, the date on which a valid Metering Test Certificate was awarded to a ~~Capacity Committed~~ CMU within 5 days of completion
  - iv. the responses submitted in the Metering Assessment within 5 days of completion
  - v. Confirmation based on the results of the Metering Assessment on whether a Metering Test is required within 5 days of completion
  - vi. BM Unit ID and other identification codes for the relevant Meters
  - vii. to record any changes to the Meter Point Administration Numbers, BM Unit IDs and other identification codes for the relevant Meters relating to the CMU within five Working Days following approval
  - viii. Status of a DSR Component in accordance with Rule 8.3.4.

## **7.5 Delivery Body amendments to the Capacity Market Register**

7.5.1 The Delivery Body must update the Capacity Market Register:

- (k) ~~to record the responses to, and result of, any Metering Assessment within five Working Days of the assessment~~Not used;
- (l) ~~to record the issue of a Metering Test Certificate for a CMU within five Working Days of receipt of the Metering Test Certificate~~Not used;
- (la) ~~to record the date on which a Capacity Committed CMU is awarded a Metering Test Certificate, within five Working Days of receipt of the Metering Test Certificate~~Not used;
- (u) where the Delivery Body is required by Regulation 73 to amend the Capacity Market Register to give effect to:
  - (i) a decision of the Authority or the court on review or appeal under the Rules or the Regulations; or
  - (ii) a redetermination by the Delivery Body pursuant to a direction by the Authority or the court, within five Working Days of receipt of the decision or instruction amend the Capacity Market Register as required by that decision or instruction;
- (cc) ~~to record any changes to the Meter Point Administration Numbers, BM Unit IDs and other identification codes for the relevant Meters relating to the CMU within five Working Days following approval from the Delivery Body~~Not used;

### **7.5A Settlement Body amendments to the Capacity Market Register**

7.5A.1 The Settlement Body must update the Capacity Market Register:

- (a) to record the responses to, and result of, any Metering Assessment within five Working Days of the assessment;
- (b) to record the issue of a Metering Test Certificate for a CMU within five Working Days of receipt of the Metering Test Certificate;



- (c) to record the date on which a Capacity Committed CMU is awarded a Metering Test Certificate, within five Working Days of receipt of the Metering Test Certificate;
- (d) to record any changes to the Meter Point Administration Numbers, BM Unit IDs and other identification codes for the relevant Meters relating to the CMU within five Working Days following approval from the Settlement Body;

#### **7.6A Capacity Market Metering Register to be publicly available**

- 7.6A.1 The contents of the Capacity Market Metering Register must be available for inspection by the public on request at reasonable notice during the CM Settlement Body's working hours or online.
- 7.6A2 At the request of any person the CM Settlement Body must provide a written statement of any entry on the Capacity Market Metering Register within five Working Days.

#### **7.7 Applications for rectification of the Capacity Market Register and Appeals**

- 7.7.1 Where any person considers that an entry maintained in respect of it or any Capacity Committed CMU for which they are the Capacity Provider under this Chapter 7 as it pertains to the Capacity Market Register is factually inaccurate, they may request to the Delivery Body that the entry be amended or deleted.
- 7.7.1A Where any person considers that an entry maintained in respect of it or any Prequalified CMU for which they are the Applicant under this Chapter 7 is factually inaccurate, during the period beginning fifteen working days following the relevant Prequalification Results Day and ending ten working days prior to the first -bidding round of the relevant auction only, they may request to the Delivery Body that the entry be amended or deleted.
- 7.7.2 If the Delivery Body accepts a request received under Rule 7.7.1 or 7.7.1A, the Delivery Body must within five Working Days of receiving the request:
  - (a) rectify the relevant entry in the Capacity Market Register as set out in the request; and
  - (b) notify the person who made the request for rectification of the Capacity Market Register that it has been rectified.
- 7.7.3 If the Delivery Body refuses a request for rectification received under Rule 7.7.1 or 7.7.1A, the Delivery Body must within five Working Days notify the person who made the request that the Delivery Body has refused the request and shall provide reasons for that decision.
- 7.7.4 A person who receives a notice under Rule 7.7.3 may dispute the decision and request that the Delivery Body reconsider its decisions to refuse the request for rectification of the Capacity Market Register in accordance with Regulation 69.

## 7.7A Application for rectification of the Capacity Market Metering Register and Appeals

7.7A.1 Where any person considers that an entry maintained in respect of it or any Capacity Committed CMU for which they are the Capacity Provider under this Chapter 7 is factually inaccurate, they may request to the CM Settlement Body that the entry be amended or deleted.

[Any such request must—

1. set out the reasons why the Capacity Provider believes that the entry is factually inaccurate together with such supporting information as may be relevant; and be given not later than 28 days after the entry has been made to the Capacity Market Metering Register.]

[The CM Settlement Body may, to assist in determining whether the entry is factually inaccurate, appoint an independent person to consider the matter.]

7.7A.2 If the CM Settlement Body accepts a request received under Rule 7.7A.1 the CM Settlement Body must within five Working Days of receiving the request:

- (a) rectify the relevant entry in the Capacity Market Metering Register as set out in the request; and
- (b) notify the person who made the request for rectification of the Capacity Market Metering Register that it has been rectified.

7.7A.3 If the CM Settlement Body refuses a request for rectification received under Rule 7.7A.1, the CM Settlement Body must within five Working Days notify the person who made the request that the CM Settlement Body has refused the request and shall provide reasons for that decision.

[DQ o/s CMSB Disputes process where not related to Regs Parts 6-7]

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**Commented [BV6]:** CMAG 12: 7.7A.1 – Is there a reason for a maximum of 28 days after the entry has been made? If it is factually incorrect, it should always be corrected. Could things become factually incorrect over time (and hence after 28 days) if there are changes on site?

DB/SB comment:  
*SB is happy to remove the restriction and align to the CMR. 7.7A outstanding action with Ofgem/ESO/ESC to discuss/clarify.*

**Commented [BV7]:** CMAG Workshop: Action for EMRDB/CMSB to review and clarify with Ofgem.

A second process was presented at the workshop that mirrors the site audit and metering test disputes process.

## CHAPTER 8: OBLIGATIONS OF CAPACITY PROVIDERS AND SYSTEM STRESS EVENTS

### 8.3.3 Metering

- (a) If an Existing Generating CMU, Existing Interconnector CMU, or a Proven DSR CMU is awarded a Capacity Agreement then, ~~where the Capacity Provider made a declaration in the Application for that CMU in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b) (as applicable),~~ the Capacity Provider must provide ~~to the CM Settlement Body~~ a detailed line diagrams showing electrical configurations and metering sites at which the Generating Units or DSR CMU Components (as applicable) are located (or in the case of an Existing Interconnector CMU provide detailed line diagrams showing the location at which the Interconnector CMU is metered) and completed a Metering Assessment -with respect to that CMU by:
- (i) no later than the date falling three years prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction; or
  - (ii) no later than the date falling six months prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or
  - (iii) no later than the date falling four months after the auction in the case of the time period between the Delivery Year and the auction is less than eight months.
- (b) If an Unproven DSR CMU is awarded a Capacity Agreement then the Capacity Provider must complete a Metering Assessment with respect to that CMU ~~prior to the date falling four months before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling four months before the commencement of the second Delivery Year to which the Capacity Auction relates),.~~
- (ba) If a Prospective CMU is awarded a Capacity Agreement then the Capacity Provider must, as soon as reasonably practicable after the CMU becomes Operational, and in any event not later than the Long Stop Date:
- (i) ~~not used provide to the CM Settlement Delivery Body detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located or the location at which the Interconnector CMU is metered; and~~
  - (ii) complete a Metering Assessment in relation to the CMU.
- (c) Following the completion of a Metering Assessment pursuant to Rule 8.3.3(a), (b) or (ba), or 8.3.4(h)(i)(bb) (and following the completion of amendments made to a Metering Assessment, pursuant to Rules 3.6.4(d), 3.6A.3(c), 3.9.4(d), or 8.3.3(h) where applicable) the ~~CM Settlement Delivery~~ Body must ~~notify the relevant Capacity Provider and the Delivery Body whether or not, based on such Metering Assessment, the metering arrangements for such~~

CMU will be subject to a Metering Test:

- ~~(i) notify the relevant Capacity Provider whether or not, based on such Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test~~
- ~~(ii) send a copy of any completed Metering Assessment to the CM Settlement Body.~~

(d) If:

- (i) a Prospective CMU or an Unproven DSR CMU has been awarded a Capacity Agreement and the CM Settlement~~Delivery~~ Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test; or
- (ii) an Existing CMU or a Proven DSR CMU has been awarded a Capacity Agreement and the CM Settlement~~Delivery~~ Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test

the Capacity Provider must obtain~~provide~~ a Metering Test Certificate with respect to that CMU from the CM Settlement Body by no later than the relevant date specified in Rule 8.3.3(e).

New rule (da) The CM Settlement Body must notify the Delivery Body within five working days from the date that a Metering Test Certificate has been issued to the Capacity Provider, including confirmation of the date that the Metering Test Certificate was awarded. reference

- (e) The date by which a Capacity Provider must be awarded~~provide~~ a Metering Test Certificate where required to do so under Rule 8.3.3(d) is:
  - (i) in the case of an Unproven DSR CMU, the date falling two weeks prior to the start of the relevant Delivery Year (or, if the Capacity Agreement is of a duration exceeding one Delivery Year, by the date falling two weeks before the commencement of the second Delivery Year of the Capacity Agreement);
  - (ii) in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction, the date falling 18 months prior to the start of the first Delivery Year;
  - (iii) in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-1 Auction or where the time period between the Delivery Year and the auction is less than eight months, the date falling two weeks prior to the start of the first Delivery Year.
  - (iv) in the case of a Prospective CMU, as soon as reasonably practicable after the date on which the Capacity Provider receives notification under Rule 8.3.3 (d)(i), and in any event not later than the Long Stop Date; and
  - (v) In the case of a Proven DSR CMU that is adding components within a Delivery Year pursuant to Rule 8.3.4, within the period specified in accordance with Rule 8.3.4(h).
- (ea) In relation to any CMU for which a Capacity Provider has received a Capacity

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Agreement, ~~and has not made a declaration in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b)~~, the Capacity Provider must, for each Generating Unit or DSR CMU Component comprised in a CMU, or the Electricity Interconnector comprised in an Interconnector CMU, confirm to the CM Settlement~~Delivery~~ Body that:

- (i) it complies with the Metering Configuration Solution requirements set out in the applicable Governing Documents; and
  - (ii) if applicable, the metering arrangements have not changed since the Metering Test was carried out by the CM Settlement Body.
- (f) A Capacity Provider or CMVR Registered Participant must:
- (i) Provide to the CM Settlement Body as soon as reasonably practicable and, in any event, within 10 Working Days ~~and ensure the accurate submission of the following information to the Delivery Body and the CM Settlement Body in meeting the requirements under Rule 3.6.4(a), Rule 3.6A.3(a) and Rule 13.3.2 as applicable;~~
    - (aa) All relevant Meters, and Meter Point Administration Numbers, for all the relevant Meter(s).
    - (bb) BM Unit Identifiers (as defined in the Balancing and Settlement Code), if applicable; and
    - (cc) in the case of an Interconnector CMU, the relevant interconnector identifier(s) as specified for the purposes of the BSC in file CDCA- I041 of the Central Data Collection Agent (CDCA).
    - (dd) If any Meter Point Administration Number specified has already been registered to another CMU which is a Capacity Committed CMU in respect of one or more of the same Delivery Years, include a declaration explaining how the two CMUs relate and how metering will separately identify the output of each of them.
  - (ii) notify ~~the Delivery Body and~~ the CM Settlement Body in advance of any proposed change to:
    - New(v) Where a Metering Assessment is amended the CM Settlement Body must notify the Delivery Body as soon as reasonably practicable whether based on such updated Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test. ~~rule reference~~

#### 8.3.3A Notifying DSR Components

- (a) A Capacity Provider in respect of an Unproven DSR CMU must, by no later than the date specified in Rule 8.3.3A(b) below, give a notice to the Delivery Body specifying:
  - (i) each DSR CMU Component which forms part of the Unproven DSR CMU, including a description of, and the full postal address with postcode and the two letter prefix and six-figure Ordnance Survey grid reference numbers of, each such DSR CMU Component;
  - (ia) for each DSR CMU which is comprised of at least one Fossil Fuel Component or at least one Storage Facility which has part or all of its

electricity requirements met by an Associated Fossil Fuel Component, whether the Commercial Production Start Date of the Fossil Fuel Component or the Associated Fossil Fuel Component is before or on or after 4 July 2019;

- (ii) ~~all relevant Meters, and Meter Point Administration Numbers, for those Meters if applicable~~Not used; and
  - (iii) in the case of a CMU that has been awarded a Capacity Agreement of a duration exceeding one Delivery Year, for each DSR CMU Component comprising the CMU, the Manufacturer Serial Number for the equipment in the component in respect of which the highest Capital Expenditure forming part of the Total Project Spend has been incurred for that component.
- (aa) A Capacity Provider in respect of an Unproven DSR CMU must, by no later than the date specified in Rule 8.3.3A(b) below, give a notice to the CM Settlement Body specifying all relevant Meters, and Meter Point Administration Numbers, for those Meters if applicable.
- (b) The date referred to in Rules 8.3.3A(a) and 8.3.3A(aa) is the earlier of the dates on which the Capacity Provider:
    - (i) completes a Metering Assessment under Rule 8.3.3(b); or
    - (ii) provides the Delivery Body with the information required in order to carry out a DSR Test under Rule 13.2.5, or a Joint DSR Test under Rule 13.2B.5.
  - (b) A Capacity Provider may notify ~~the Delivery Body and~~ the CM Settlement Body that it wishes to remove one or more DSR CMU Component from a DSR CMU that is a Capacity Committed CMU (except if the CMU has been awarded a Capacity Agreement of a duration exceeding one Delivery Year and has not yet met the requirements of Rule 8.3.2 (DSR Test) and Rule 8.3.6 (Evidence of Total Project Spend)).
  - (e) A Capacity Provider may notify the ~~Delivery Body and the~~ CM Settlement Body, during the relevant Delivery Year and no later than two months prior to the subsequent Delivery Year, that it wishes to add one or more DSR CMU Component to a DSR CMU that is a Capacity Committed CMU (except if the CMU has been awarded a Capacity Agreement of a duration exceeding one Delivery Year and has not yet met the requirements of Rule 8.3.2 (DSR Test) and Rule 8.3.6 (Evidence of Total Project Spend)).
  - (f) When the Capacity Provider has notified ~~Delivery Body and~~ the CM Settlement Body in accordance with Rule 8.3.4(e), the Capacity Provider must provide the ~~CM Settlement~~Delivery Body with the information for the new component(s), in accordance with Rules 8.3.3A(a)(i) and 8.3.3A(a)(ii).
  - (h) Where Rule 8.3.4(e) applies, within five Working Days of notification to ~~the Delivery Body and~~ the CM Settlement Body:
    - (i) a Capacity Provider must, for each DSR CMU Component being added to the relevant DSR CMU:
      - (aa) ~~provide detailed line diagrams showing electrical configurations and metering sites at which the DSR CMU Components are located; and~~

- (i) A Capacity Provider may make notifications pursuant to Rules 8.3.4(b) and 8.3.4(e) jointly or separately for more than one component, and where applicable one or more CMUs, as part of one notification to the [Delivery Body](#) and CM Settlement Body.
- (k) Following receipt of a notification pursuant to Rule 8.3.4(b) or Rule 8.3.4(e), the [CM Settlement/Delivery](#) Body must update the Capacity Market [Metering](#) Register within two Working Days to reflect the status of the relevant DSR CMU Components, as appropriate, as either:
  - (i) "Notified Addition"; or
  - (ii) "Notified Removal".
- (l) If a component is rejected during the process, the [CM Settlement/Delivery](#) Body must update the Capacity Market [Metering](#) Register within two Working Days to reflect the status of the relevant DSR CMU as:
  - (i) "Rejected"
- (m) Where the requirements of Rule 8.3.4(c) and Rule 8.3.4(g) have been met, the [CM Settlement/Delivery](#) Body must:
  - (i) update the Capacity Market [Metering](#) Register within two Working Days to reflect the status of the relevant DSR CMU Components, as appropriate, as:
    - (aa) "Added - Live"; or
    - (bb) "Removed"; or
    - (cc) "Original/Default – Live".
  - (ii) Update the Delivery Body as soon as reasonably practicable and, in any event, within 5 days on the updated completion details and status for all Added or Removed DSR CMU Components.

#### 8.3.7 Notifying change of address

- (a) A New Build CMU or DSR CMU notifying the Delivery Body pursuant to Rule 7.5.1(r) that the location of a Generating Unit(s) and/or DSR CMU Component(s) is or will be different from the location described in the Application must provide the Delivery Body with the following as applicable:
  - (i) Relevant Planning Consents as required by Rule 3.7.1;
  - (ii) Connection Arrangements as required by Rule 3.7.3;
  - (iii) A report confirming they have met the Financial Commitment Milestone;
  - (iv) ~~An updated Metering Assessment, details of the Metering Configuration Solution and/or new Metering Test Certificate and any Detailed Line Diagrams~~Not used;
  - (v) ~~Confirmation from the CM Settlement Body confirming the change to the Metering Configuration, as set out in Rule 8.3.3~~Not used;
  - (vi) Confirmation of the new location and new Ordnance Survey grid reference;
  - (vii) Omitted

- (viii) Low Carbon Exclusion and Low Carbon Grant status as set out in Rule 3.4.7;
- (ix) ~~Meter Point Administration Numbers of the relevant Meter(s) at the new location and, where a MPAN is already in use by another CMU, a declaration that explaining the relationship between these CMUs and the metering solutions necessary to identify their individual~~Not used.
- (b) ~~New-A Declaration that the Capacity Provider will contact~~notify the CM Settlement Body as soon as reasonably practicable and, in any event, within 5 days of Notifying change of address to:
  - (i) ~~Provide Meter Point Administration Numbers of the relevant Meter(s) at the new location and, where a MPAN is already in use by another CMU, a declaration that explaining the relationship between these CMUs and the metering solutions necessary to identify their individual~~ ~~missing word~~outputs
  - (ii) ~~Complete an updated Metering Assessment and provide details of the Metering Configuration Solution and/or new Metering Test Certificate and any Detailed Line Diagrams;~~
  - (iii) ~~Confirm with the CM Settlement Body any change to the Metering Configuration, as set out in Rule 8.3.3~~
  - (iv) ~~Where a change of address is notified after the deadlines set in Rule 8.3.3, the Capacity Provider must fulfil updated obligations within~~ ~~"n"~~40 working days.~~rule~~

#### 8.4 Triggering a Capacity Obligation and System Stress Events

### CHAPTER 9: TRANSFER OF CAPACITY OBLIGATIONS

## 9. Transfer of Capacity Obligations

9.2.4 A Capacity Provider may transfer a Capacity Agreement by:

- (a) transferring all or part of its Capacity Obligation in respect of a Capacity Committed CMU (the "CMU Transferor") for all or a specified number of calendar days in a Delivery Year to an Acceptable Transferee in respect of another CMU (the "CMU Transferee") provided that:
  - (i) the Acceptable Transferee nominates a CMU Transferee to perform the Capacity Obligation;
  - (ii) if the transfer is of part of its Capacity Obligation, the part transferred is at least equal to the Minimum Capacity Threshold; and
  - (iii) following the transfer, the aggregate Capacity Obligation of each of the CMU Transferor and the CMU Transferee is at least equal to the Minimum Capacity Threshold unless the CMU Transferor has transferred all of its Capacity Obligation.
- (b) with respect to a Capacity Committed CMU which is a Generating CMU where the Capacity Provider is the legal owner of each Generating Unit comprised in such CMU, transferring all Capacity Agreements relating to that CMU outright



to:

- (i) a person acquiring all such Generating Units (or, if it is a Prospective Generating CMU, all the contractual and other rights and assets then owned by the Capacity Provider and necessary to achieve the Substantial Completion Milestone with respect to such CMU); or
- (ii) a person that is the Despatch Controller with respect to all such Generating Units,

provided in each case that such person is an Acceptable Transferee; or

- (c) with respect to a Capacity Committed CMU which is a Generating CMU where the Capacity Provider is the Despatch Controller with respect to each Generating Unit comprised in such CMU, transferring all Capacity Agreements relating to that CMU outright to a person that is the legal owner with respect to all such Generating Units provided that such person is an Acceptable Transferee; or
- (d) with respect to a Capacity Committed CMU which is an Interconnector CMU, transferring all Capacity Agreements relating to that CMU outright to a person acquiring that Electricity Interconnector (or, if it is a Prospective Interconnector CMU, all the contractual and other rights and assets then owned by the Capacity Provider and necessary to achieve the Substantial Completion Milestone with respect to such CMU) provided that such person is an Acceptable Transferee,

in each case such transfer of the Capacity Agreement to be in accordance with the Regulations and the Rules (including the requirements relating to the updating of the Capacity Market Register) [and the Capacity Market Metering Register](#). An individual transfer under Rule 9.2.4(a) may not relate to more than one Delivery Year.

#### 9.2.5 Transfers of a Capacity Agreement:

- (a) under Rule 9.2.4(a) can only be effected on the Capacity Market Register [and the Capacity Market Metering Register](#) after the T-1 Auction for the relevant Delivery Year has concluded (or, in the case of an SA Agreement, after 30th May 2017) and provided that:
  - (i) in the case of a Prospective Generating CMU and its second or third Delivery Year, it has achieved the Substantial Completion Milestone by the Prequalification Results Day for the T-1 Auction for that Delivery Year; and
  - (ii) in the case of a Prospective Interconnector CMU in relation to which a Capacity Agreement has been awarded for a Delivery Year ("Y") as well as for either or both of the two immediately following Delivery Years Y+1 and Y+2, and in respect of either of the latter two Capacity Agreements, it has achieved the Substantial Completion Milestone by the Prequalification Results Day for the T-1 Auction for Delivery Year Y+1 or Y+2 as the case may be; and
  - (iii) in the case of an Unproven DSR CMU that has been awarded a Capacity Agreement of a duration exceeding one Delivery Year, the Delivery Body has issued a DSR Test Certificate to the Applicant or Capacity Provider (as applicable) under Rule 13.2.11 and the Capacity Provider has

satisfied the requirements of Rule 8.3.6 (Evidence of Total Project Spend).

9.2.6 An Acceptable Transferee in relation to Rule 9.2.4(a), for any Delivery Year, is any of the persons in paragraphs (a) to (d) who meets the conditions in Rule 9.2.6(e)(i) to (xii):

- (a) a Bidder in a Capacity Auction for that Delivery Year (which may include a Bidder in relation to a CMU which Opted-out under Rule 3.11.2(f)(iii) at the T-4 Auction if, and only if, such CMU has since Prequalified in the T-1 Auction) in relation to a Prequalified CMU that does not have a Capacity Agreement for that Delivery Year;
- (b) a Capacity Provider in relation to the De-rated Capacity of a Prequalified Prospective CMU that has achieved the Substantial Completion Milestone prior to the Delivery Year in which its Capacity Obligation commences (provided that the transfer relates only to the period prior to such Delivery Year);
- (c) a Capacity Provider of a CMU that Prequalified for that Delivery Year and that does not have a Capacity Agreement for that Delivery Year equal to the De-rated Capacity of that Prequalified CMU;
- (d) an Eligible Secondary Trading Entrant;
- (e) the conditions in this Rule 9.2.6(e) are that:
  - (i) the Capacity Obligation transferred, when aggregated with all other Capacity Obligations in respect of the CMU Transferee for that Delivery Year, will not at any time exceed:
    - (aa) the aggregate De-rated Capacity of the CMU Transferee (as recorded on the Capacity Market Register); or
    - (bb) where there is a Grid Connection Agreement relating to the CMU Transferee, the Transmission Entry Capacity recorded on the TEC Register in respect of that CMU Transferee;
  - (ii) the CMU Transferee:
    - (aa) satisfies the criteria set out in Rule 9.2.5(b); and
    - (bb) has delivered a capacity at least equal to its De-rated Capacity in any settlement period falling within the six months prior to the first date in the relevant Delivery Year on which a request was submitted to the Delivery Body under Rule 9.3.1;
    - (cc) [has provided metering information, completed a Metering Assessment, provide a Single Line Diagram and where applicable holds a Metering Test Certificate with the CM Settlement Body.](#)

## CHAPTER 10: VOLUME REALLOCATION

### 10.1A CMVR Registered Participant

10.1A.1 ~~A.1~~ A person ("P") who is an Acceptable Transferee in respect of a CMU within the meaning of Rule 9.2.6, 9.2.7 or 9.2.8 may apply to be registered as a "CMVR Registered Participant" for a Delivery Year or, if it has commenced, so much of the Delivery Year that remains, by giving notice to the Delivery Body:

- (a) stating that P wishes to participate in volume reallocation under this Chapter;
- (b) specifying the Delivery Year for which P wishes to be so registered; and
- (c) specifying the CMU in respect of which the application is made.

10.1A.2 If the Delivery Body is satisfied that the application satisfies the conditions in Rule 10.1A.1:

- (a) P's registration as a CMVR Registered Participant is to take effect five Working Days after the notice under Rule 10.1A.1 is given to the Delivery Body; and
- (b) the Delivery Body must as soon as possible and in any event no later than 9 working days after the end of the month in which the application was made:
  - (i) notify the Settlement Body of the application; and
  - (ii) publish the following information:
    - (aa) that P is a CMVR Registered Participant for the Delivery Year specified in the application,
    - (bb) the effective date of P's registration; and
    - (cc) details of the CMU in respect of which P is so registered (the "CMVR Registered CMU").

### 10.2 Capacity Market Volume Reallocation Notification

10.2.1 Subject to the provisions of this Chapter, a Capacity Provider or CMVR Registered Participant may, in respect of a CMU ("the CMVR Transferor"), allocate any or all of the Volume Eij of that CMU to another CMU (the "CMVR Transferee") by way of a CMVRN.

10.2.1A Before becoming a CMVR Transferee, the CMVR Registered Participant must provide metering information and a Single Line Diagram to the CM Settlement Body, complete a Metering Assessment and, where applicable, hold a Metering Test Certificate.

## CHAPTER 13: TESTING REGIME

### 13. Testing Regime

#### 13.2 DSR Test

13.2.1 Each DSR CMU must carry out either a:

- (a) DSR Test in accordance with this Rule 13.2; or
- (b) Joint DSR Test in accordance with Rule 13.2B.

13.2.2 A DSR CMU can participate in a DSR Test:

- (a) prior to the commencement of the Prequalification Window for a Capacity Auction (in which case the DSR CMU may submit an Application for Prequalification as a Proven DSR CMU); or
- (b) after the award of a Capacity Agreement but by no later than one month prior to the commencement of the Delivery Year for that Capacity Agreement (in which case the DSR CMU must submit an Application for Prequalification as an Unproven DSR CMU); or
- (c) where Rules 8.3.4(b) or 8.3.4(e) apply, prior to the commencement of the subsequent Delivery Year, and after the final notification of component additions and/or removals; or
- (d) in the case of an Unproven DSR CMU that has been awarded a Capacity Agreement of a duration exceeding one Delivery Year, up to the date falling one month before the commencement of the second Delivery Year to which the Capacity Auction relates.

13.2.5 In order to carry out a DSR Test with respect to a DSR CMU, an Applicant or Capacity Provider (as applicable) must provide the ~~CM Settlement~~ Delivery Body with:

~~13.2.5A~~ The CM Settlement Body must confirm to the Delivery Body that they have received information required in accordance with 13.2.5(a) or 13.2.5(b). ew rule

13.2.9 Within 5 Working Days of:

- (a) receipt of historic information under Rule 13.2.6(a) above; or
- (b) receipt of data from the ~~CM~~ Settlement Body regarding Metered Volumes at the relevant meters during the relevant Settlement Periods referred to in Rule 13.2.6(b),

13.2.12B In the event that the metering configuration details provided pursuant to Rule 13.2.5 change, then the Capacity provider must notify the ~~Delivery Body and the~~ Settlement Body as soon as practicable.

13.2.12C Within five Working Days of notification to the ~~Delivery Body and the~~ CM Settlement Body under Rule 13.2.12B, a Capacity Provider must, for each DSR CMU Component where metering configuration details differ from those provided pursuant to Rule 13.2.5:

- (a) ~~provide detailed line diagrams showing electrical configurations and metering sites at which the DSR CMU Components are located; and~~ Not used

- (b) complete a Metering Assessment in relation to that CMU.

13.2.12D If, as a consequence of Rule 13.2.12C(b), a Capacity Provider has been informed, pursuant to Rule 8.3.3(c)(i), that a Metering Test is required, then a Capacity Provider must ~~obtain~~[provide](#) a Metering Test Certificate within forty Working Days from the date of notification under Rule 8.3.3(c)(i).

13.2.12E Where one or more notifications have been made to the ~~Delivery Body and the~~ Settlement Body pursuant to Rule 13.2.12B, the DSR Test Certificate for the relevant DSR CMU shall:

### 13.2A New DSR Test

13.2A.3 To enable the Delivery Body to carry out a new DSR Test with respect to the relevant DSR CMU, the Capacity Provider must provide the ~~CM Settlement~~[Delivery](#) Body with the information set out in Rule 13.2.5, except for the information required by Rule 13.2.5(b)(ii).

### 13.2B Joint DSR Test

13.2B.1 An Applicant or Capacity Provider may, by notification to the Delivery Body, nominate more than one DSR CMU for a Joint DSR Test, provided the relevant DSR CMUs are Unproven DSR CMUs and have the same Applicant or Capacity Provider.

13.2B.2 A DSR CMU can participate in a Joint DSR Test:

- (a) prior to the commencement of the Prequalification Window for a Capacity Auction (in which case each DSR CMU may submit an Application for Prequalification as a Proven DSR CMU); or

13.2B.5 In order to carry out a Joint DSR Test with respect to a group of DSR CMUs, an Applicant or Capacity Provider (as applicable) must provide the ~~CM Settlement~~[Delivery](#) Body with:

~~13.2B.5A The CM Settlement Body must confirm within five days to the Delivery Body that they have received information required in accordance with 13.2B.5(a) or 13.2B.5(b)~~

13.2B.20 In the event that the metering configuration details provided pursuant to Rule 13.2B.5 change, then the Capacity provider must notify ~~the Delivery Body and the~~ Settlement Body as soon as practicable.

13.2B.21 Within five Working Days of notification to the ~~Delivery Body and the~~ CM Settlement Body under Rule 13.2B.20, a Capacity Provider must, for each DSR CMU Component where metering configuration details differ from those provided pursuant to Rule 13.2B.5:

- (a) ~~provide detailed line diagrams showing electrical configurations and metering sites at which the DSR CMU Components are located; and~~ ~~Not used~~
- (b) complete a Metering Assessment in relation to that CMU.

13.2B.22 If, as a consequence of Rule 13.2B.21(b), a Capacity Provider has been informed,

pursuant to Rule 8.3.3(c)(i), that a Metering Test is required, then a Capacity Provider must ~~obtain~~provide a Metering Test Certificate within forty Working Days from the date of notification under Rule 8.3.3(c)(i).

13.2B.23 Where one or more notifications have been made to ~~the Delivery Body and~~ the Settlement Body pursuant to Rule 13.2B.20, the DSR Test Certificate for the relevant DSR CMU shall:

- (a) remain valid for the duration of the Capacity Agreement in respect of which the CMU carried out the DSR Test; and
- (b) not be valid after the end of that Capacity Agreement, and a new DSR Test Certificate will be required for any subsequent Delivery Year no later than six weeks prior to that Delivery Year.

13.2C.3 To enable the Delivery Body to carry out a new Joint DSR Test with respect to the relevant DSR CMUs, the Capacity Provider must provide the CM Settlement~~Delivery~~ Body with the information set out in Rule 13.2B.5, except for the information required by Rule 13.2B.5(b)(ii).

13.3.10 The CM Settlement Body shall notify the Delivery Body of the outcome of any Metering Test carried out pursuant to this Rule 13.3 and confirm the date that the Metering Test Certificate was awarded.

#### **13A.5 Submission of incorrect information**

13A.5.1 If the CM Settlement Body becomes aware that a Capacity Provider has submitted incorrect information to the ~~Delivery Body or~~ CM Settlement Body regarding a CMU, Generating Unit or DSR component in purported compliance with Rule 8.3.3(f)(i), the CM Settlement Body must, as soon as reasonably practicable, issue a Metering Recovery Payment Notice to the Capacity Provider.

13A.5.2 Within five Working Days of receipt of a Metering Recovery Payment Notice, the Capacity Provider must:

- (a) provide the CM Settlement Body with details of the date when the incorrect information was first submitted (the "invalidation date"); and
- (b) explain to the CM Settlement Body why ~~the line diagrams provided in accordance with, as applicable, Rule 3.6.4(a)(i), Rule 3.9.4(a)(i) or Rule 8.3.3(ba), and/or~~ the Metering Statement provided in accordance with Rule 13.3.2, differ from the metering configuration.

SCHEDULE 1: TEMPLATE CAPACITY AGREEMENT NOTICE

CAPACITY AGREEMENT NOTICE

Part D: CMU Details

(i)	Description and the full postal address with postcode, if available, and the two letter prefix and six-figure Ordnance Survey grid reference numbers of Generating Unit(s) and/or DSR CMU Component(s) or the Electricity Interconnector	
(ii)	<del>Meter Point Administration Numbers for relevant Meter(s) or details of metering and communications arrangements</del> <u>Not used</u>	
(iii)	<del>BM Unit ID (if applicable)</del> <u>Not used</u>	
(iv)	Type of CMU (Transmission, CMRS Distribution, Non-CMRS Distribution or DSR, Interconnector)	
(v)	Classification (for Generating or Interconnector CMUs only – Existing, Prospective and, if applicable Refurbishing)	
(vi)	Construction Milestone Dates (for Prospective CMUs only)	