

RCC – SCR
CROSS-CODE CHANGE
UNIFORM NETWORK CODE

[Proposed] legal text

MODIFICATION RULES

Add new definitions in paragraph 2.1 alphabetically to read as follows:

"Cross-Code Change" means a proposed change, amendment or modification ("principal change proposal") to an Energy Code ("principal" Energy Code) which the Cross-Code Steering Group determines gives rise to a requirement to make a consequential change, amendment or modification proposal ("subsidiary change proposal") in relation to a different Energy Code ("subsidiary" Energy Code);

"Cross-Code Steering Group" means the group of that name established in accordance with the Retail Energy Code;

"Energy Code" has the meaning given in the Retail Energy Code;

Amend paragraph 6.1.1 to read as follows:

6.1.1 Without prejudice to paragraph 6.4 or paragraph 12.4 and subject to paragraph 6.1.5, a Modification Proposal in respect of the Uniform Network Code may be made from time to time by:

(a) ...

...

(g) the CDSP (but only in respect of a Modification Proposal made to authorise the amendment of the DSC, and only where the CDSP considers that an amendment of the DSC is appropriate for the fulfilment of the DSC Objectives or is necessary to allow the CDSP to comply with a Legal Requirement; ~~and~~

(h) those persons specified in paragraph 15.6.

Amend paragraph 6.2.2 to read as follows:

(a) ...

...

(p) ...

(ii) shall, where it is being made in such circumstances, include the legal text of the proposed Modification; ~~and~~

(g) shall state whether the Modification Proposal is a Cross-Code Change, and whether the Modification Proposal is the principal change proposal or a subsidiary change proposal (and where the Modification Proposal is a subsidiary change proposal, the Energy Code in respect of which the principal change proposal relates); and

(g) shall have regard to the Modification Proposal Guidelines Document which may be amended only by a determination of the Modification Panel in accordance with paragraph 5.1.2(a).

Amend paragraph 9.4.1 to read as follows:

(a) ...

...

(g) ...

...

(iv) the reason why it is proposing each date under paragraph (i), (ii) and (iii); and

(h) shall state whether the Modification Proposal is a Cross-Code Change, and whether the Modification Proposal is the principal change proposal or a subsidiary change proposal (and where the Modification Proposal is a subsidiary change proposal, the Energy Code in respect of which the principal change proposal relates).

Insert new paragraph 15 to read as follows:

15 Cross-Code Change

15.1 For the purposes of this paragraph 15:

(a) and in relation to each other Energy Code:

(i) "**decision date**" means the date on which the relevant EC body rejects a EC change proposal or approves or rejects an appeal in respect of an SG change proposal;

(ii) "**EC change proposal**" is a change, amendment or modification proposal to the other Energy Code;

(iii) "**relevant EC body**" is the body which determines whether to approve or reject an EC change proposal or an appeal in respect of an SG change proposal; and

(iv) "**SG change proposal**" means an EC change proposal equivalent to a Self-Governance Modification Proposal;

(b) "**relevant code**" is the Energy Code in which primary governance over a relevant communication and/or data item resides; and

(c) "**relevant communication and/or data item**" is:

(i) a communication between parties to, and for the purposes of, different Energy Codes;

- (ii) a data item originating under an Energy Code which is identified in the 'Energy Market Data Specification' document (comprised in the Retail Energy Code).
- 15.2 The Modification Panel shall (in such manner as the Modification Panel may from time to time determine) appoint one or more persons to act as a Code representative on the Cross-Code Steering Group, and the Modification Panel shall ensure each such person has the required knowledge and experience to participate in and contribute to the work of the Cross-Code Steering Group.
- 15.3 Where the Cross-Code Steering Group determines in relation to a Cross-Code Change the Code is the principal Energy Code:
 - (a) the Modification Proposal will proceed in accordance with these Modification Rules;
 - (b) the Code Administrator will co-operate with the code administrator (or equivalent) of each subsidiary Energy Code for the purposes of co-ordinating and aligning the process and timetable for each subsidiary change proposal with the process and timetable for the Modification Proposal;
 - (c) in the event:
 - (i) the Modification Proposal is approved by the Modification Panel; and
 - (ii) a subsidiary change proposal is not approved by the relevant EC body, paragraph 15.4 shall apply.
- 15.4 Where this paragraph 15.4 applies:
 - (a) the Modification Panel may no later than 30 (thirty) days following the decision date (or where there is more than one subsidiary change proposal, the latest decision date) refer the Modification Proposal and each subsidiary change proposal to the Authority, seeking a determination of the Authority on whether the Modification Proposal and each subsidiary change proposal should be implemented or not;
 - (b) where the Modification Proposal is a Self-Governance Modification Proposal, and notwithstanding the Modification Panel's earlier determination, the modification of the Code shall be conditional on the determination of the Authority referred to in paragraph (a) to implement the Self-Governance Modification Proposal (and each other subsidiary change proposal).
- 15.5 Where the Cross-Code Steering Group determines in relation to a Cross-Code Change the Code is a subsidiary Energy Code:
 - (a) the Modification Proposal will proceed in accordance with these Modification Rules;
 - (b) the Code Administrator will co-operate with the code administrator (or equivalent) of the principal Energy Code for the purposes of co-ordinating and aligning the process and timetable for the Modification Proposal with the process and timetable for the principal change proposal;
 - (c) in the event:

- (i) the Modification Proposal is approved by the Modification Panel; and
- (ii) the principal change proposal is not approved by the relevant EC body,

where the Modification Proposal is a Self-Governance Modification Proposal it shall, notwithstanding paragraphs 9.3 and 9.7, not be implemented and no modification shall be made to the Code.

(d) in the event:

- (i) the principal change proposal is approved by the relevant EC body;
- (ii) the Modification Proposal is not approved by the Modification Panel and the relevant EC body refers the principal change proposal and each subsidiary change proposal (including the Modification Proposal) to the Authority in accordance with the relevant Code; and
- (iii) following a referral by the relevant EC body to the Authority under paragraph (ii) the Authority determines the Modification Proposal (together with the principal change proposal and each other subsidiary change proposal) should be implemented,

the Modification Proposal shall be implemented and a modification made to the Code.

- 15.6 In addition to the persons referred to in paragraph 6.6.1 the REC Code Manager and the Code Administrator may make a Modification Proposal (provided it is a subsidiary change proposal) in respect of the Uniform Network Code in connection with a Cross-Code Change.
- 15.7 The Code Administrator will co-operate with the REC Code Manager to ensure each relevant communication and/or data item in respect of which the Code is the relevant code are identified in the 'Energy Market Data Specification' document (comprised in the Retail Energy Code).