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**MODIFICATION 0746**

**APPLICATION OF CLARIFICATORY CHANGE TO AQ AMENDMENT PROCESS WITHIN TPD  
G2.3 FROM 1 APRIL 2020**

[Proposed] legal text

**TRANSITION DOCUMENT**

**PART II – TRANSITIONAL RULES**

*Add new paragraph 27 to read as follows:*

**27 CAPACITY CHARGE ADJUSTMENT FOLLOWING APPLICATION OF TPD SECTION  
G2.3.20 BETWEEN 1 APRIL 2020 AND 13 JANUARY 2021**

27.1 For the purposes of this paragraph 27:

- (a) the "**adjustment start date**" means the date on which a relevant AQ amendment was effective;
- (b) the "**adjustment end date**" is the first of the following to occur following the adjustment start date:
  - (i) the date on which a change in the Registered User of the Supply Point in which the relevant SMP is comprised is effective;
  - (ii) where the relevant SMP is a:
    - (A) Class 1 or 2 Supply Meter Point, the date from which a change to the Annual Quantity of the relevant SMP is effective;
    - (B) Class 3 or 4 Supply Meter Point, the date from which a change to the Formula Year Annual Quantity is effective (other than where such change is a consequence of a revision to the seasonal normal demand of the Composite Weather Variable for the relevant LDZ in accordance with Section H1.5);
  - (iii) the implementation date;
- (c) the "**implementation date**" is the date on which the Code Modification giving effect to this paragraph 27 is implemented and effective from;
- (d) a "**relevant AQ amendment**" is a change to the Annual Quantity of a Supply Meter Point which:

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- (i) resulted from the relevant User submitting a request in accordance with TPD Section G2.3.20 which identified the eligible cause for the request as being that specified in TPD Section G2.3.21(c); and
  - (ii) was effective in accordance with TPD Section G2.3.27 on a day falling in the relevant period;
- (e) in respect of a relevant SMP the "**relevant adjustment period**" is the period from (and including) the adjustment start date to (and including) the adjustment end date ;
  - (f) the "**relevant period**" is the period commencing on (and including) 1 April 2020 and ending on (and including) 13 January 2021;
  - (g) the "**relevant SMP**" is the Supply Meter Point in respect of which a relevant AQ amendment is effective;
  - (h) the "**relevant SPRD**" is the Supply Point Registration Date by reference to which the condition in TPD Section G2.3.24(a) is satisfied in relation to a relevant AQ amendment; and
  - (i) the "**relevant User**" is the User submitting the request pursuant to TPD Section G2.3.20 which resulted in a relevant AQ amendment.

27.2 In respect of each relevant AQ amendment the CDSP shall request the relevant User to confirm to the CDSP that prior to the relevant SPRD it was not a 25% Affiliate of the Existing User of the Supply Point in which the relevant SMP is comprised.

27.3 Where the relevant User fails to provide the confirmation requested by the CDSP pursuant to paragraph 27.2 within twenty (20) Supply Point Systems Business Days of the CDSP's request paragraph 27.4 shall apply in respect of the relevant SMP.

27.4 Where this paragraph 27.4 applies in relation to a relevant SMP the relevant User shall pay to the Transporter an amount equal to:

A - B

where in relation to the relevant SMP and respect of the relevant adjustment period:

A is the amount of Capacity Charges that would have been payable by the relevant User by reference to the Annual Quantity (or where the relevant SMP is a Class 3 or 4 Supply Meter Point, the Formula Year Annual Quantity) applying on the date immediately prior to the date on which the relevant AQ amendment was effective;

B is the amount of Capacity Charges payable by the relevant User by reference to the Annual Quantity (or where the relevant SMP is a Class 3 or 4 Supply Meter Point, the Formula Year Annual Quantity) applying from the date the relevant AQ amendment was effective.

27.5 Where in relation to relevant SMP to which paragraph 27.4 applies the adjustment period ends on the implementation date the CDSP may revise the Annual Quantity (for a Class 1 or 2 Supply Meter Point) or Formula Year Annual Quantity (for a Class 3 or 4 Supply Meter Point) of the relevant SMP such that with effect from such date as the CDSP may determine the Annual Quantity or (as the case may be) Formula Year Annual Quantity shall be the same as that applying immediately prior to the relevant AQ amendment.

**Deleted:** in relation to a relevant SMP no relevant event has occurred prior to the implementation date

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27.6 Capacity Charges payable by a relevant User in accordance with paragraph 27.4 shall be invoiced and payable in accordance with TPD Section S.

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