

MARKET CODE / OPERATIONAL CODE CHANGE PROPOSAL

Form
version 2.1

Change Proposal reference
(To be completed by the TP Sec.)

MCCP096

Version No.

C.2

PART A — SUBMISSION

A.1. GENERAL DETAILS

A.1.a. TITLE

Publication of the Schedule of Additional Services and Updates to Retrospective Amendment Processes

A.1.b. COMPANY

CMA

Change Proposals must be authorised by the person designated by the signatory to the Market Code Framework / Accession Agreement

A.1.c. AUTHORISED
SIGNATURE

NAME

A.1.d. CONTACT NAME

Neil Cohen

CONTACT EMAIL;
TEL./MOB.

Neil.cohen@cmascotland.co.uk
0117 942 3272

A.1.e. ASSOCIATED
MCCP / OCCP

None

A.1.f. ASSOCIATED
DOCS.

Annex 1: CSD0105 Drafting

A.1.g. PROPOSED
URGENCY

NON-URGENT

A.1.h. REASONS FOR
URGENCY

N/A

The CMA CEO will review this information and make a decision as to whether to take this MCCP / OCCP forward as urgent as defined under Market Code Part 8.9.1

A.2. MCCP / OCCP DETAILS

A.2.a. ISSUE OR DEFECT WHICH THIS MCCP / OCCP SEEKS TO ADDRESS Required under Market Code Parts 8.7.1 (ii) (b) and 8.8.1 (ii) (b)

Following discussions held by the Data Working Group (established by the TP/MPF to consider issues pertaining to retrospective amendments, amongst other issues), a number of recommendations have been forthcoming and this proposal seeks to deliver a number of these.

Firstly, although parties may incur charges from the CMA for the provision of retrospective amendments (and the provision of other services, such as ad-hoc reports), as detailed in the CMA's Schedule of Additional Services, the Market Code currently does not allow for this schedule to be published. Hence, any party that may be interested in availing itself of such a service must first enquire of the CMA as to the potential cost. It has been concluded that publication of the Schedule of Additional Services by the CMA should be enabled under the Market Code to remove this impediment.

Secondly, it has been recognised that CSD0105 needs to be updated to reflect current practice. In particular;

- The pro-forma for making retrospective amendment requests is not used. Instead, reflecting the typical approach that the CMA has adopted for progressing retrospective amendments, parties submit retrospective amendment requests using a spreadsheet that provides the input data for such an RA in the required formats.
- The CSD requires that any retrospective amendment should only be executed following a request from the relevant party. However, this request is not done and is not considered to be practical or of value for retrospective amendments that are effectively delivered via transaction.

It has been concluded that the above practice should be reflected in updates to CSD0105.

A.2.b. DESCRIPTION OF THE NATURE AND PURPOSE OF THE MCCP / OCCP AND HOW IT MEETS THE MARKET CODE / OPERATIONAL CODE OBJECTIVES AND PRINCIPLES FOR THE MARKET DOCUMENTS Required under Market Code Parts 8.7.1 (ii) (c) and 8.8.1 (ii) (c)

General Description

In so far as the publication of the Schedule of Additional Services is concerned, the Market Code should be amended as follows:

Section 2.2.8 (iv)

develop and maintain a website relating to the Market Code and the carrying out of the CMA's duties

to include:-

- (a) the current version of the Market Code;
- (b) copies of all Market Code Change Proposals under consideration by the TP;
- (c) copies of all Approved Changes and/or Commission Changes which are not yet included in the current version of the Market Code;
- (d) any reports issued in accordance with the Market Code which are to be made available to any person;
- (e) any approved minutes, agendas and notices of meetings of the TP;
- (f) any guidance documents issued by the CMA;
- (g) a Schedule of Additional Services and
- (h) any other matters which the CMA considers appropriate or which are required to be published on the website under the Market Code.

Section 7.3.5

The CMA shall be entitled to charge for providing any Additional Service for a Trading Party in accordance with a Schedule of Additional Services, which the CMA shall publish. Where the Additional Service is requested on a one off or ad hoc basis the CMA shall be entitled to agree a charge for the relevant service with the Trading Party requesting the service.

The proposed amendments to CSD0105 are given in Annex 1.

Principles and Objectives affected

PRINCIPLE	AFFECTED (Y/N)	DESCRIPTION
Proportionality	Y	Parties avoid the need to make enquiries to the CMA for the potential cost of many additional services.
Transparency	Y	All Parties will be aware of the cost of many additional services and will have greater certainty as to the requirements for retrospective amendment submissions.
Simplicity, Cost-effectiveness, and Security	N	
Non-exclusivity	N	
Barriers to Entry	N	

Customer Contact	N	
Non-discrimination	N	
Non-detrimental to SW Core Functions	N	
MC / OC OBJECTIVES	N	

A.2.c. IMPACT Required under Market Code Parts 8.7.1 (ii) (d), (f) and (g), and 8.8.1 (ii) (d) and (f)		
CONFIGURED ITEM	IMPACTED (Y/N)	DESCRIPTION
MC / OC	Y	See above
CSDs	Y	See Annex 1
Wholesale Services Agreements	N	
Licenses	N	
CMA Central Systems	N	
CMA business processes	Y	The CMA will need to update its website, as additional services and/or associated charges change, or when changes to RA requests are needed.
Trading Party systems	N	
Trading party business processes	N	

A.2.d. DRAFT LEGAL TEXT Required under Market Code Parts 8.7.1 (ii) (d) and 8.8.1 (ii) (d)		
See above and Annex 1.		
A.3. IMPLEMENTATION DETAILS		
A.3.a. PROPOSED IMPLEMENTATION DATE OR LEAD TIME Timescale must not overlap with the period of consultation with the Commission and should take account of the impacts identified in Section A.2.c. Any quoted lead time should commence from date of Approval.		
e.g. yyyy-mm-dd		

A.3.b. ANY LIMITATIONS OR DEPENDENCIES FOR IMPLEMENTATION

A.4. ANY OTHER COMMENTS

PART B — TP ASSESSMENT

B.1. ASSESSMENT PROCESS

B.1.a. ASSESSMENT START DATE	2012-04-19	ASSESSMENT END DATE	2012-04-19
B.1.b. IMPACT ASSESSMENT REQUIREMENT		IA NOT REQUIRED	
B.1.c. CONSULTATION REQUIREMENT		TP CONSULTATION NOT REQUIRED	
B.1.d. ASSOCIATED DOCUMENTS (to this Part B)			

B.2. ASSESSMENT DETAILS

B.2.a. CHANGE SPECIFICATION AND IMPACT (if different from that originally submitted)

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B.2.b. DRAFT LEGAL TEXT (if different from that originally submitted)

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B.2.c. TP ASSESSMENT
Taking into account complexity, importance and urgency, and having regard to whether or not such proposal is within the relevant Objectives and Principles as required under Market Code Parts 8.7.1 (v) and 8.8.1 (iv)

Impact on Principles and Objectives (if different from that originally submitted)	
Cost Estimate	
Benefit Estimate (L: < 10k, M: £10k to £100k, H: > £100k)	

B.3. TP DECISION TP APPROVED

B.4. FINAL TP VIEWS

B.5. PLANNED IMPLEMENTATION DATE May 2012

WITHDRAWN BY PROPOSER?	No
COMMENTS	
DATE OF WITHDRAWAL	

PART C — COMMISSION APPROVAL

C.1. DATE FINAL REPORT ISSUED TO COMMISSION	2012-04-24
C.2. APPROVAL STATUS	APPROVED CHANGE / REJECTED
C.3. DATE OF APPROVAL STATUS	2012-05-15
C.4. COMMISSION RESPONSE REFERENCE	

PART D — IMPLEMENTATION

D.1. IMPLEMENTATION DATE	yyyy-mm-dd
D.2. IMPLEMENTATION DETAILS (MC version, CSD versions, CMA Central Systems release number, etc.)	