

Workgroup Terms of Reference and Membership

TERMS OF REFERENCE FOR GC0144

WORKGROUP

Alignment of Market Suspension Rights to the EU Emergency and Restoration Code Article 35.1(b)

Responsibilities

1. The Workgroup is responsible for assisting the Grid Code Review Panel in the evaluation of Grid Code Modification Proposal **GC0144: Alignment of Market Suspension Rights to the EU Emergency and Restoration Code Article 35.1(b)** proposed by **Antony Johnson** of **National Grid ESO** in May 2020 and presented to the Grid Code Review Panel on 28 May 2020.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the Grid Code Objectives. These can be summarised as follows:
 - (i) *To permit the development, maintenance and operation of an efficient, coordinated and economical system for the transmission of electricity;*
 - (ii) *To facilitate competition in the generation and supply of electricity (and without limiting the foregoing, to facilitate the national electricity transmission system being made available to persons authorised to supply or generate electricity on terms which neither prevent nor restrict competition in the supply or generation of electricity);*
 - (iii) *Subject to sub-paragraphs (i) and (ii), to promote the security and efficiency of the electricity generation, transmission and distribution systems in the national; and*
 - (iv) *To efficiently discharge the obligations imposed upon the licensee by this license and to comply with the Electricity Regulation and any relevant legally binding decisions of the European Commission and/or the Agency. In conducting its business, the Workgroup will at all times endeavour to operate in a manner that is consistent with the Code Administration Code of Practice principles.*
 - (v) *To promote efficiency in the implementation and administration of the Grid Code arrangements.*

Scope

3. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Grid Code Objectives.
4. In addition to the overriding requirement of point 3 above, the Workgroup shall consider and report on the following specific issues:

Specific Area	Terms of reference met?
a) Implementation and costs	<i>The Workgroup discussed and agreed that the proposal has no materiality and</i>

	<i>therefore the costs arising from this modification are negligible.</i>
<i>b) Review draft legal text should it have been provided. If legal text is not submitted within the Grid Code Modification Proposal the Workgroup should be instructed to assist in the developing of the legal text;</i>	<i>Draft legal text was prepared ahead of the Workgroup and was subsequently updated by the Workgroup as part of the discussions.</i> See Annex 3.
<i>c) Consider whether any further Industry experts or stakeholders should be invited to participate within the Workgroup to ensure that all potentially affected stakeholders have the opportunity to be represented in the Workgroup;</i>	<i>Nominations to the Workgroup were sought through the normal Governance arrangements and a Workgroup consultation has been held, so stakeholders have had sufficient opportunity to input into the Workgroup.</i>
<i>d) To ensure alignment between Article 35.1b of the EU E&R Code aligns with GB Grid Code</i>	<i>This has been achieved in the Legal Drafting and discussed by the Workgroup.</i> See “What is the solution?” section and Annex 3.
<i>e) Confirm the arrangements for market suspension</i>	<i>This has been achieved in the Legal Drafting and discussed by the Workgroup.</i> See “What is the issue?”, “Workgroup Considerations” sections and Annex 3.
<i>f) Define the arrangements for TERRE market suspension</i>	<i>This has been achieved in the Legal Drafting and discussed by the Workgroup.</i> See “Workgroup Considerations” section and Annex 3.
<i>g) Consider interaction with other Codes</i>	See “Interactions” section.

5. As per Grid Code GR20.8 (a) and (b) the Workgroup should seek clarification and guidance from the Grid Code Review Panel when appropriate and required.
6. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative Grid Code Modifications arising from Group discussions which would, as compared with the Modification Proposal or the current version of the Grid Code, better facilitate achieving the Grid Code Objectives in relation to the issue or defect identified.
7. The Workgroup should become conversant with the definition of Workgroup Alternative Grid Code Modification which appears in the Governance Rules of the Grid Code. The definition entitles the Group and/or an individual member of the Workgroup to put forward a Workgroup Alternative Code Modification proposal if the member(s) genuinely believes the alternative proposal compared with the Modification Proposal or the current version of the Grid Code better facilitates the Grid Code objectives. The extent of the support for the Modification Proposal or any Workgroup Alternative Modification (WAGCM) proposal arising from the Workgroup’s discussions should be clearly described in the final Workgroup Report to the Grid Code Review Panel.
8. Workgroup members should be mindful of efficiency and propose the fewest number of WAGCM proposals as possible. All new alternative proposals need to be proposed using the Alternative Request Proposal form ensuring a reliable source of information for the Workgroup, Panel, Industry participants and the Authority.

9. All WAGCM proposals should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WAGCM proposals which are proposed by the entire Workgroup or subset of members.
10. There is an option for the Workgroup to undertake a period of Consultation in accordance with Grid Code GR. 20.11, if defined within the timetable agreed by the Grid Code Panel. Should the Workgroup determine that they see the benefit in a Workgroup Consultation being issued they can recommend this to the Grid Code Review Panel to consider.
11. Following the Consultation period the Workgroup is required to consider all responses including any Workgroup Consultation Alternative Requests. In undertaking an assessment of any Workgroup Consultation Alternative Request, the Workgroup should consider whether it better facilitates the Grid Code Objectives than the current version of the Grid Code.
12. As appropriate, the Workgroup will be required to undertake any further analysis and update the appropriate sections of the original Modification Proposal and/or WAGCM proposals (Workgroup members cannot amend the original text submitted by the Proposer of the modification) All responses including any Workgroup Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairman has exercised their right under the Grid Code to progress a Workgroup Consultation Alternative Request or a WAGCM proposal against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairman is employed by the same organisation who submitted the Workgroup Consultation Alternative Request.
13. The Workgroup is to submit its final report to the Modifications Panel Secretary on **15 January 2021** for circulation to Panel Members. The final report conclusions will be presented to the Grid Code Review Panel meeting on **25 January 2021**.

Membership

It is recommended that the Workgroup has the following members:

Role	Name	Representing (User nominated)	Percentage of meetings attended
Chair	Jennifer Groome	ESO Code Administrator	100%
Technical Secretary	Rob Pears	ESO Code Administrator	100%
National Grid Representative*	Tony Johnson	National Grid ESO	100%
Workgroup Member	Richard Woodward	National Grid Electricity Transmission	100%
Workgroup Member	Garth Graham / Andrew Colley	SSE plc	100%
Workgroup Member	Alastair Frew	Drax Generation Enterprise Ltd	100%
Workgroup Member	Stephen Leslie / Anais Main	ElecLink Ltd	100%
Workgroup Member	Paul Crolla / Ruth McKelvie	ScottishPower Renewables	66%
Workgroup Member	Robert Longden	Cornwall Insight	66%
Observer	Chris Wood / Eden Ridgeway	Elexon	100%
Observer	Christopher Statham	Ofgem	66%
Observer	Xiao Ping Zhang	University of Birmingham	100%

14. A (*) Workgroup must comprise at least 5 members (who may be Panel Members). The roles identified with an asterisk (*) in the table above contribute toward the required quorum, determined in accordance with paragraph 15 below.

15. The Grid Code Review Panel must agree a number that will be quorum for each Workgroup meeting. The agreed figure for GC0144 is that at least 5 Workgroup members must participate in a meeting for quorum to be met.

16. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WAGCM proposal and Workgroup Consultation Alternative Request based on their assessment of the Proposal(s) against the Grid Code objectives when compared against the current Grid Code baseline.

- Do you support the Original or any of the alternative Proposals?
- Which of the Proposals best facilitates the Grid Code Objectives?

The Workgroup chairman shall not have a vote, casting or otherwise. The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.

17. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairman at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.

18. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.

19. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.

20. The Workgroup membership can be amended from time to time by the Grid Code Review Panel and the Chairman of the Workgroup.