

National Grid Electricity
Transmission, Grid Code Parties
and interested stakeholders

Direct Dial: 0141 331 6015
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Date: 2 November 2017

Dear colleague,

Appeal against Grid Code Review Panel self-governance decision to approve GC0098

On 19 October 2017, we¹ received notice of an appeal by Senvion UK ('Senvion') in accordance with clause GR.24.13 of the Grid Code. This appeal was made in respect of the decision of Grid Code Review Panel published on 3 October 2017 to approve Grid Code modification GC0098 'Using GB Grid Code data to construct the EU Common Grid Model in accordance with Regulation (EU) 2015/1222 (CACM), Regulation (EU) 2016/1719 (FCA) and Regulation (EU) 2017/1485 (SOGL)' ('GC0098').²

We are satisfied that Senvion has made a valid appeal, which is made on the basis that the decision to approve GC0098 may unfairly prejudice Senvion, and that GC0098 may not better facilitate the achievement of at least one of the Grid Code Objectives.

In granting permission to appeal this self-governance decision we have not assessed the merits of GC0098. The procedure that Ofgem will adopt in determining this appeal is set out in our guidance on self-governance appeals.³

As set out in our published guidance, we consider on a case by case basis whether we will require further information to determine the appeal. We currently expect to seek further information from relevant parties in relation to this appeal, and will aim to do this within 4 weeks of the date of this letter. The timetable for making our decision will be subject to receipt of any such further information. Where practicable, we will aim to make our decision within 25 working days of receiving all required information.

We have the following options in making our decision:

1. Reject the appeal and confirm the original decision;
2. Uphold the appeal and quash the Grid Code parties' decision. We may then:
 - a. Send back the proposal for further consideration and redetermination by Grid Code parties; or
 - b. Remove self-governance and make the decision on the proposal. In this case, the original decision would be treated as a recommendation to us.

¹ References to the "Authority", "Ofgem", "we" and "our" are used interchangeably in this document. The Authority refers to GEMA, the Gas and Electricity Markets Authority. The Office of Gas and Electricity Markets (Ofgem) supports GEMA in its day to day work.

² Further information on Grid Code modification GC0098 can be found here:

<http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/Grid-code/Modifications/GC0098/>

³ The guidance is on the Ofgem website here: <https://www.ofgem.gov.uk/publications-and-updates/ofgem-guidance-self-governance-modification-appeals-process>

If you have any questions regarding this matter please contact Roberta Fernie at industrycodes@ofgem.gov.uk.

Yours sincerely,

Lesley Nugent
Head Industry Codes and Licesning