

## DRAFT LEGAL TEXT FOR MODIFICATION P366

### ANNEX S-1: PERFORMANCE LEVELS AND SUPPLIER CHARGES

Delete paragraph 3.2 to read as follows:

#### 3.2 ~~Not used Failure to Comply with Serial SP08a~~

3.2.1 ~~A Supplier who fails to comply with Serial SP08a shall be liable to the charge set out in the table below against the relevant item in Serial SP08a:~~

Item in Serial SP08a (as referred to in the table in paragraph 2.2.1)	Amount per Chargeable MWh
Initial Volume Allocation Run	No Charge
First Reconciliation Volume Allocation Run	No Charge
Second Reconciliation Volume Allocation Run	No Charge
Third Reconciliation Volume Allocation Run	£0.13
Final Reconciliation Volume Allocation Run	£1.43

3.2.2 ~~For the purposes of paragraph 3.2.1, the Chargeable MWh for a Supplier shall be calculated in respect of a GSP Group for any month for each Settlement Day (if any) in relation to which the relevant Volume Allocation Run was carried out in that month, in respect of which there has been a failure to comply with Serial SP08a, in accordance with the following formula:~~

$$\text{SCMWh} = \text{NHHEA} \times \frac{p}{100}$$

where:-

SCMWh is the Chargeable MWh attributable to that Supplier for the relevant Settlement Day in respect of the relevant GSP Group;

NHHEA is the sum of  $A_{\text{HZ}}$  and  $E_{\text{HZ}}$  (expressed in MWh) attributable to that Supplier in respect of such GSP Group for such Settlement Day, as determined in accordance with paragraph 2.2.2; and

p is the number of percentage points by which the Performance Level in Serial SP08a was not met by that Supplier in such GSP Group in respect of such Settlement Day, rounded to 1 decimal place.