

CIRCULAR

TYPE & NUMBER	ELEXON Circular - EL02936
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Date	13 December 2018
To	BSC Parties
From	BSC Panel
Purpose	For information

BSC Default – Utility Professional Business Operations Limited

This Circular sets out the resolutions made by the BSC Panel in relation to Utility Professional Business Operations Limited (BSC Party ID: UPBOPERA, Company number: 08656255) ("the Defaulting Party") under Section H3.2.1 of the Balancing and Settlement Code ("BSC").

Provision of a copy of this document to a BSC Party shall constitute notification to that BSC Party of the decisions of the Panel, and shall also constitute notification to that BSC Party of the Default pursuant to BSC Section H3.2.1(a).

In accordance with the provisions of the BSC a meeting of the Panel was convened at 09:30 on 13 December 2018.

The Panel NOTED that the Defaulting Party is in Default under Section H3.1.1(b) of the BSC in that the Defaulting Party has not paid an amount, which has become due for payment under the Code, in full by the fifteenth Business Day after the date of BSCCo's notice.

The Panel NOTED that the Defaulting Party is also in Default under Section H3.1.1(g)(iv) of the BSC in that it has an administrator appointed.

The Panel, having regard to its objectives under Section B1.2.1 and to its other obligations under the BSC,

RESOLVED as follows:

- (a) Pursuant to Section H3.2.1(e), to expel the Defaulting Party from the BSC in accordance with the requirements of Section A5. Any Party, or the Authority, may make representations to the BSC Panel in respect of the proposed expulsion of the Defaulting Party by submitting such representations to the contact provided below by no later than 17:00 p.m. on 11 January 2019.
- (b) Pursuant to Sections H3.2.1(b), H3.2.2(a) and H3.2.2(b) to:
 - (i) suspend with immediate effect the right of the Defaulting Party to submit (or have submitted on its behalf) Energy Contract Volume Notifications and Metered Volume Reallocation Notifications under Section P of the BSC; and/or
 - (ii) disapply (for the purposes of Settlement) with immediate effect all Energy Contract Volume Notifications and Metered Volume Reallocation Notifications submitted by or on behalf of the Defaulting Party (for Settlement Periods that the Submission Deadline has not passed).
- (c) Pursuant to Sections H3.2.1 (b) and H3.2.2 (e), to suspend, subject to approval by the Authority, the right of the Defaulting Party to register any Metering Systems and further register any BM Units.
- (d) Pursuant to Sections H3.2.1 (b) and H3.2.2 (f), with immediate effect to suspend the right of the Defaulting Party to receive reports and data.
- (e) Pursuant to Section H3.2.1(f), to notify the Funds Administration Agent on behalf of the BSC Clearer to treat the Defaulting Party as a Defaulting Party for the purposes of Section N of the BSC.
- (f) Pursuant to Sections H3.2.1 (b) and H3.2.2 (g), to suspend with immediate effect the right of the Defaulting Party to vote pursuant to Annex B-2 of the BSC.

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(g) Pursuant to Section H3.2.1(a), notify each other BSC Party of the Default.

ELEXON will continue to closely monitor and review the situation concerning the Defaulting Party, including its effect on other BSC Parties.

The Panel noted that nothing in these Resolutions should be taken as preventing it from deciding at any time to take any further or other steps under Section H3.2.1 of the BSC in relation to the Defaulting Party.

For more information, please email Market Operations (market.operations@elexon.co.uk).