

# CIRCULAR

**TYPE & NUMBER** Circular - EL02892

**Date** 11 October 2018

**To** BSC Parties

**From** BSC Panel

**Purpose** For information

## Default of BSC – One Wales Energy– Un Ynni Cymru Limited

This document sets out the resolutions made by the BSC Panel in relation to One Wales Energy-Un Ynni Cymru Limited (company number 09844887) ("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 H3.2.1(a).

**Please note that the Defaulting Party has no associated Metering System Identifiers nor any active Energy Contract Volume Notifications or Metered Volume Reallocation Notifications, so the effect of the resolutions on other BSC Parties is expected to be minimal.**

In accordance with the provisions of the BSC, a meeting of the Panel was convened on 11 October 2018.

The Panel **NOTED** that the Defaulting Party is in Default under Section H3.1.1(g)(v) and (g)(i) of the BSC in that the Defaulting Party has passed a resolution for the winding up of the company (H3.1.1(g)(v)) and admitted its inability to pay its debts as they fall due (H3.1.1(g)(i)).

The Panel considered this matter and, 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 8 November 2018.
- (b) Pursuant to Sections H3.2.1(b) and H3.2.2(a) to:
  - (i) suspend with immediate effect the right of the Defaulting Party to submit (or have submitted on its behalf) Energy Contract Volume Notifications under Section P of the BSC;
- (c) Pursuant to Sections H3.2.1(b) 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) Metered Volume Reallocation Notifications under Section P of the BSC;
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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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(h) To notify the Defaulting Party and, pursuant to Section H3.2.1(a), each other BSC Party of the Default. ELEXON shall 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, additional, different or other steps under Section H3.2.1 of the BSC in relation to the Defaulting Party.

For more information, please contact [market.operations@elexon.co.uk](mailto:market.operations@elexon.co.uk).