

## DRAFT LEGAL TEXT FOR PROPOSED MODIFICATION P366

### SECTION S: SUPPLIER VOLUME ALLOCATION (Version [                      ])

#### 2. RESPONSIBILITIES OF SUPPLIERS AND SUPPLIER AGENTS

*Amend paragraph 2.6 as follows:*

2.6.1 In respect of each SVA Metering System which is a 100kW Metering System in relation to which it is registered with a Supplier Meter Registration Agent, a Supplier shall promptly submit or procure the submission of the appropriate data (as specified by BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements)) by the relevant Half Hourly Data Aggregator appointed by it in accordance with Section J to the SVAA before each Interim Information Volume Allocation Run, in accordance with BSCP01 (Overview of Trading Arrangements).

2.6.1A In respect of each SVA Metering System which is an Advanced Meter in relation to which it is registered with a Supplier Meter Registration Agent, a Supplier shall submit, or procure the submission of, the appropriate data (as specified by BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements)) to the SVAA promptly after collection of such data and, in any event:

(a) subject to paragraph 2.6.1B, in respect of the data for Settlement Days before the P272 Implementation Date, before the relevant Final Reconciliation Volume Allocation Run; and

(b) in respect of the data for Settlement Days on or after P272 Implementation Date, before the relevant First Reconciliation Volume Allocation Run,

in each case, in accordance with BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements).

2.6.1B In respect of each SVA Metering System which is:

(a) an Advanced Meter; and

(b) Half Hourly Metering Equipment in accordance with Section L2.2.2,

in relation to which it is registered with a Supplier Meter Registration Agent, a Supplier shall submit, or procure the submission of, the appropriate data (as specified by BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements)) to the SVAA promptly after collection of such data and, in any event, in respect of data for Settlement Days on or after P272 Implementation Date, before the relevant First Reconciliation Volume Allocation Run, in accordance with BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements).

2.6.2 In respect of each SVA Metering System which is not:

(a) a 100kW Metering System; or

(b) Half Hourly Metering Equipment in accordance with Section L2.2.2,

in relation to which it is registered with a Supplier Meter Registration Agent, a Supplier shall submit, or procure the submission of, the appropriate data (as specified by BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements)) to the SVAA promptly after collection of such data and, in any event, before the relevant Final Reconciliation Volume Allocation Run, in accordance with BSCP01 (Overview of ~~Settlement Process~~ Trading Arrangements).

- 2.6.3 A Supplier shall (to the extent that it has not already done so in accordance with the Qualification Process applicable to that Supplier) submit, or procure the submission of, appropriate details to the SVAA of each GSP Group in which the Supplier commences or ceases trading for Supplier Volume Allocation, in accordance with BSCP507.

*Insert a new paragraph 2.11 to read as follows:*

## **2.11 Hard To Read Metering Systems**

- 2.11.1 Each Supplier who treats or intends to treat a Non Half Hourly Metering System for which it is responsible as a Hard To Read Metering System shall comply with paragraphs 4.3.23 to 4.3.26 (inclusive) of Annex S-2 and the relevant provisions of BSCP504.
- 2.11.2 A Supplier shall not treat a Non Half Hourly Metering System for which it is responsible as a Hard To Read Metering System where:
- (a) the criteria set out in paragraph 2.11.3 for determining whether a Non Half Hourly Metering System is Hard To Read Metering System and any further requirements set out in BSCP504 have not been satisfied;
  - (b) Metered Data (as described in BSCP504) relating to such Non Half Hourly Metering System becomes available (including by reason of the Supplier receiving such Metered Data from the owner and/or occupier of the property on which the Non Half Hourly Metering System is situated);
  - (c) there is a change of Supplier in relation to such Non Half Hourly Metering System.
- 2.11.3 The criteria for determining whether a Supplier may treat a Non Half Hourly Metering System for which it is responsible as a Hard To Read Metering System is set out below and shall include any further requirements, set out in BSCP504:
- (a) The Metering System:
    - (i) must not be located at Domestic Premises; and
    - (ii) must be unoccupied; and
    - (iii) must be remote; and
    - (iv) must have a lack of functioning Communications Equipment for remote monitoring purposes.
  - (b) For the purposes of paragraph (a)(ii) above, “unoccupied” shall mean:
    - (i) the Customer (or their duly appointed representative) is not normally present at the site where the Metering System is located; and
    - (ii) the site is not visited as regular business activities; and

- (iii) the Customer has affirmed that they will not facilitate temporary occupation of the site where the Metering System is located in order to facilitate a Meter read; and
    - (iv) it shall not be possible to achieve a Meter read from the Metering System unless the site is occupied either permanently or on a temporary basis
  - (c) For the purposes of paragraph (a)(iii) above, “remote” shall mean geographically remote, such that any potential visitors to the site at which the Metering System is located would have to make a specific effort or arrangement, outside their normal business activities, to visit that site.
  - (d) For the purposes of paragraph (a)(iv) above, “lack of functioning Communications Equipment” shall mean:
    - (i) the location of the Metering System must be outside of mobile telecommunication coverage areas for all types of mobile telecommunications; and
    - (ii) the owner of the site at which the Metering System is located must have made a positive affirmation that access will not be granted to allow installation of Communications Equipment; and
    - (iii) the Customer (if different from the site owner) has made a positive affirmation that they will not facilitate the establishment of communications with the Metering System.
- 2.11.4 A Supplier shall cease to treat a Non Half Hourly Metering System, for which it is responsible, as a Hard To Read Metering System if any of the matters set out in paragraph 2.11.2 (a) to (c) (inclusive) occur or, if the Supplier fails to comply with the requirements of the processes referred to in paragraph 2.11.5.
- 2.11.5 A Supplier who treats, or intends to treat, a Non Half Hourly Metering System for which it is responsible as a Hard To Read Metering System shall also have in place processes, as required by BSCP504, to ascertain whether the Non Half Hourly Metering System can continue to be treated as a Hard To Read Metering System.
- 2.11.6 A Supplier treating a Non Half Hourly Metering System, for which it is responsible, as a Hard To Read Metering System, shall keep auditable records of its compliance with the requirements of the Code and BSCP504 for treating and continuing to treat such Non Half Hourly Metering System as a Hard To Read Metering System.

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

### 3.2 Failure to Comply with Serial SP08a

*Amend paragraph 3.2.2 to read as follows:*

- 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:

$$SCMWh = (NHHEA - E_{HZh}) \times \frac{p}{100}$$

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  $A_{HZ}$  and  $E_{HZ}$  (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;

$E_{HZh}$  means  $\sum_{N(EAC)} \sum_j (C_{iNj} + CLOSS_{iNj})$ , for Hard To Read Metering Systems only;  
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, after adjustment to remove the energy relating to Hard To Read Metering Systems, rounded to 1 decimal place.

$$p = 97 - (((A_{HZ} / (A_{HZ} + E_{HZ} - E_{HZh})) \times 100)$$

## ANNEX S-2: SUPPLIER VOLUME ALLOCATION RULES

### 4.3 Non Half Hourly Data Collection

*Amend paragraph 4.3.2 to read as follows:*

4.3.2 Each Supplier shall ensure that for each metered Metering System "K" for which it is responsible, the Non Half Hourly Data Collector responsible for such Metering System shall calculate Meter Advance values ( $MADV_{KR}$ ) for each Settlement Register and, for this purpose, the provisions of paragraphs 4.3.3 to 4.3.8 (inclusive) shall apply, except in the cases where:

- (a) such Non Half Hourly Data Collector is supplied with an initial value of Estimated Annual Consumption ( $EAC_{KR}$ ) together with its Effective From Settlement Date for such Settlement Register (such date being the Settlement Day on which the event giving rise to the actions taken pursuant to this paragraph (a) occurs), which such Supplier undertakes to supply in the event that:
  - (i) the Profile Class "P" of such Metering System "K" changes, in which case the provisions of paragraphs 4.3.9 and 4.3.10 only shall apply;
  - (ii) such Metering System "K" is registered as a new metered Metering System (and for which a Meter Advance has not yet been calculated) in which case the provisions of paragraph 4.3.11 shall apply;
  - (iii) the physical meter for such metered Metering System "K" changes or, as the case may be, is reconfigured, in which case the provisions of paragraph 4.3.12 shall apply;
- (b) such Non Half Hourly Data Collector is notified of a change of Supplier for such metered Metering System for which a Meter Advance Period as described in paragraphs 4.3.13 or 4.3.14 is available, in which case:
  - (i) if the metered Metering System "K" is not subject to half hourly metering on the Settlement Day of the change of Supplier, then the provisions of paragraph 4.3.13 shall apply; or
  - (ii) if the metered Metering System "K" is subject to half hourly metering on the Settlement Day of the change of Supplier, then the provisions of paragraph 4.3.14 shall apply;
- (c) BSCP504 provides that such Non Half Hourly Data Collector shall and, in particular circumstances, may, calculate a Deemed Meter Advance, in which case:
  - (i) such Non Half Hourly Data Collector must comply with the provisions of BSCP504; and
  - (ii) the provisions of paragraphs 4.3.15 to 4.3.17 shall apply

provided that prior to calculating a Deemed Meter Advance the Non Half Hourly Data Collector shall, in all circumstances, make reasonable endeavours to calculate a Meter Advance including taking any steps specified in BSCP504.
- (d) the Supplier treats or intends to treat a metered Metering System "K" as Long Term Vacant, in which case paragraphs 4.3.19 to 4.3.22 (inclusive) shall apply.

- (e) the Supplier treats, or intends to treat, a metered Metering System "K" as a Hard To Read Metering System; in which case paragraphs 4.3.23. to 4.3.26 (inclusive) shall apply.

*Insert -new paragraphs 4.3.23 to 4.3.26 to read as follows:*

- 4.3.23 Subject to paragraph 4.3.25, each Supplier which treats, or intends to treat, a metered Metering System "K", for which it is responsible, as a Hard To Read Metering System, shall instruct (in accordance with BSCP504); and ensure, that it's Non Half Hourly Data Collector responsible for such metered Metering System "K" additionally sends the Estimated Annual Consumption (EAC<sub>KR</sub>) for each Settlement Register (calculated in accordance paragraph 4.3.7) to the SVAA as an Hard To Read Metering System.
- 4.3.24 For the purposes of paragraph 4.3.23, the Effective From Settlement Date for the use of an Estimated Annual Consumption (EAC<sub>KR</sub>) as for a Hard To Read Metering System shall be the date on which the Supplier has notified its Non Half Hourly Data Collector that Metering System "K" is to be treated as a Hard to Read Metering System.
- 4.3.25 Where the metered Metering System "K" is not or can no longer be treated as a Hard To Read Metering System in accordance with the requirements applicable to it under the Code then the Supplier shall instruct (in the manner and form set out in BSCP504), and ensure that, its Non Half Hourly Data Collector responsible for calculates a Metered Advance in accordance with the provisions of paragraph 4.3.2 or (where no relevant Metered Data is available) calculates a Deemed Meter Advance in accordance with the provisions of paragraphs 4.3.15 to 4.3.16, and an Estimated Annual Consumption (EAC<sub>KR</sub>) for each Settlement Register (calculated according to the formulae set out in paragraph 4.3.7), and thereafter for future calculations replace the Estimated Annual Consumption (EAC<sub>KR</sub>) pertaining to the Hard To Read Metering System with any one of the following:
- (a) an Estimated Annual Consumption (EAC<sub>KR</sub>) calculated according to the formulae set out in paragraph 4.3.7; or
- (b) an initial value of Estimated Annual Consumption (EAC<sub>KR</sub>); or
- (c) an Estimated Annual Consumption (EAC<sub>KR</sub>) which the Supplier reasonably believes is representative of the most likely rate of generation or demand for that metered Metering System "K",
- 4.3.26 For the purposes of paragraph 4.3.23, the Effective From Settlement Date for the replacement of the value of the Estimated Annual Consumption (EAC<sub>KR</sub>) or initial value of Estimated Annual Consumption (EAC<sub>KR</sub>) shall be:
- (a) the day following that upon which the metered Metering System "K" is not or can no longer be treated as a Hard To Read Metering System by reason of Section S2.11.2 (b) and (c); or
- (b) where the Suppler has failed to comply with requirements in BSCP504 or Section S2.11.5 and relevant Metered Data (as described in BSCP504) has not been obtained, the date of the last visit by the Non Half Hourly Data Collector which complies with the requirements of Section S2.11.5.

**SECTION X: DEFINITIONS AND INTERPRETATION**  
**ANNEX X-1: GENERAL GLOSSARY (V82.0)**

*Insert the following new definitions as follows:*

"Hard To Read Metering  
System":

means a Non Half Hourly Metering System which  
satisfies the criteria set out in Section S2.11;