

# MARKET CODE / OPERATIONAL CODE CHANGE PROPOSAL

Form  
version 2.3

Change Proposal reference  
(To be completed by the TP Sec.)

**MCCP200**

Version No.

**D.1**

## PART A — SUBMISSION

### A.1. GENERAL DETAILS

A.1.a. TITLE POLR Opt In\_Out Clarification

A.1.b. COMPANY

Change Proposals must be authorised by the person designated by the signatory to the Market Code Framework / Accession Agreement

A.1.c. AUTHORISED  
SIGNATURE

NAME

A.1.d. CONTACT NAME

Neil Cohen

CONTACT EMAIL;  
TEL/MOB.

Neil.cohen@cmascotland.co.uk  
0117 942 3272

A.1.e. ASSOCIATED  
MCCP / OCCP

A.1.f. ASSOCIATED  
DOCS.

A.1.g. PROPOSED  
URGENCY

NON-URGENT

A.1.h. REASONS FOR  
URGENCY

The CMA CEO will review this information and make a decision as to whether to take this MCCP / OCCP forward as urgent as defined under Market Code Part 8.9.1

**A.2. MCCP / OCCP DETAILS**

**A.2.a. ISSUE OR DEFECT WHICH THIS MCCP / OCCP SEEKS TO ADDRESS**  
Required under Market Code Parts 8.7.1 (ii) (b) and 8.8.1 (ii) (b)

The CMA's May 2016 Release Project implemented arrangements whereby POLR processes could be initiated with Designated Times in the past, in addition to the arrangements already in place allowing Designated Times in the future: The Designated Time being the time from which any POLR transfers should have effect.

An ambiguity has subsequently been noticed, as regards the application of the Market Code drafting, in respect of how POLR transfers should relate to allocation of SPIDs to LPs which have opted in or opted out of the POLR process, over a change of financial year.

The two circumstances that might arise are:

- A POLR process is initiated near the end of a financial year, but with a Designated Time in the following financial year or
- A POLR process is initiated near the start of a new financial year, but with a Designated Time in the previous financial year.

The associated ambiguity arises when an LP changes its POLR status from one year to the next and may be stated as being whether:

- The change of status should be recognised as of the Designated Time or
- The change of status should be recognised as of the POLR run time.

The CMA CS has been designed to deliver the second of these, as the following table identifies:

For a prospective POLR run date;

<b>Status on POLR Identification Run Date (current FY)</b>	<b>Status on Designated Date (next FY)</b>	<b>Allocated SPIDs?</b>
IN	OUT	YES
OUT	IN	NO

For a retrospective POLR run date;

<b>Status on POLR Identification Run Date (current FY)</b>	<b>Status on Designated Date (previous FY)</b>	<b>Allocated SPIDs?</b>
IN	OUT	YES
OUT	IN	NO

However, this is not made explicit in the Market Code.

**A.2.b. DESCRIPTION OF THE NATURE AND PURPOSE OF THE MCCP / OCCP AND HOW IT MEETS THE MARKET CODE / OPERATIONAL CODE OBJECTIVES AND PRINCIPLES FOR THE MARKET DOCUMENTS Required under Market Code Parts 8.7.1 (ii) (c) and 8.8.1 (ii) (c)**

**General Description**

On the basis that the above arrangement better reflects the aspirations of an LP that has changed its POLR status, by comparison with the alternative approach, the Market Code should be slightly modified to more precisely reflect this.

**Principles and Objectives affected**  
CMA Guidance Note GN009 may be referred to for assistance with this section

PRINCIPLE	AFFECTED (Y/N)	DESCRIPTION
Proportionality	Y	No cost is involved and the proposed change is a simple one.
Transparency	Y	More precise legal drafting.
Simplicity, Cost-effectiveness, and Security	Y	Avoids disputes and possible manual amendments following a POLR.
Non-exclusivity	N/A	
Barriers to Entry	N/A	
Customer Contact	N/A	
Non-discrimination	N/A	
Non-detrimental to SW Core Functions	N/A	
<b>MC / OC OBJECTIVES</b>		

**A.2.c. IMPACT**  
Required under Market Code Parts 8.7.1 (ii) (d), (f) and (g), and 8.8.1 (ii) (d) and (f)

CONFIGURED ITEM	IMPACTED (Y/N)	DESCRIPTION
MC / OC	Y	See below.
CSDs	N	
Wholesale Services Agreements	N	
Licenses	N	
CMA Central Systems	N	

CMA business processes	N	
Trading Party systems	N	
Trading party business processes	N	

<p><b>A.2.d. DRAFT LEGAL TEXT</b> Required under Market Code Parts 8.7.1 (ii) (d) and 8.8.1 (ii) (d)</p>		
<p>The Market Code, Section 5.3.6 (i)(c)(1) should be modified as follows:</p> <p>The CMA shall only allocate POLR Supply Points to Licensed Providers who are entitled to Register Supply Points in accordance with Section 5.2.2 above, are not solely a Specialist Licensed Provider and/or a Self Supply Licensed Provider and have not opted out <b>as of the date on which the allocations are identified.</b></p>		
<p><b>A.3. IMPLEMENTATION DETAILS</b></p>		
<p><b>A.3.a. PROPOSED IMPLEMENTATION DATE OR LEAD TIME</b> Timescale must not overlap with the period of consultation with the Commission and should take account of the impacts identified in Section A.2.c. Any quoted lead time should commence from date of Approval.</p>		
<p>As soon as is practical.</p>		
<p><b>A.3.b. ANY LIMITATIONS OR DEPENDENCIES FOR IMPLEMENTATION</b></p>		
<p>Given that this issue could only arise near a financial year end or beginning, any implementation prior to the last month of the current financial year would be acceptable.</p>		
<p><b>A.4. ANY OTHER COMMENTS</b></p>		
<p></p>		

## PART B — TP ASSESSMENT

### B.1. ASSESSMENT PROCESS

B.1.a. ASSESSMENT START DATE	2016-06-23	ASSESSMENT END DATE	2016-06-23
B.1.b. IMPACT ASSESSMENT REQUIREMENT		IA REQUIRED	
B.1.c. CONSULTATION REQUIREMENT		TP CONSULTATION NOT REQUIRED	
B.1.d. ASSOCIATED DOCUMENTS (to this Part B)			

### B.2. ASSESSMENT DETAILS

#### B.2.a. CHANGE SPEC AND IMPACT (IF DIFFERENT FROM THAT ORIGINALLY SUBMITTED)

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#### B.2.b. CMA INTERNAL SYSTEMS IMPACT

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#### B.2.c. DRAFT LEGAL TEXT (if different from that originally submitted)

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#### B.2.d. TP ASSESSMENT Taking into account complexity, importance and urgency, and having regard to whether or not such proposal is within the relevant Objectives and Principles as required under Market Code Parts 8.7.1 (v) and 8.8.1 (iv)

Impact on Principles and Objectives (if different from that originally submitted)	
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Cost Estimate	
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Benefit Estimate (L: < 10k, M: £10k to £100k, H: > £100k)	
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B.3. TP DECISION	TP APPROVED
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B.4. FINAL TP VIEWS	
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B.5. PLANNED IMPLEMENTATION DATE	2016-09-29
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WITHDRAWN BY PROPOSER?	No
COMMENTS	
DATE OF WITHDRAWAL	

### PART C — COMMISSION APPROVAL

C.1. DATE FINAL REPORT ISSUED TO COMMISSION	2016-07-06
C.2. APPROVAL STATUS	APPROVED CHANGE
C.3. DATE OF APPROVAL STATUS	2016-08-02
C.4. COMMISSION RESPONSE REFERENCE	

### PART D — IMPLEMENTATION

D.1. IMPLEMENTATION DATE	2016-08-16
D.2. IMPLEMENTATION DETAILS (MC version, CSD versions, CMA Central Systems release number, etc.)	
Market Code v33	