

The Northern Ireland Authority for Utility Regulation

MODIFICATION NOTICE

Made under Article 3 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (the **SEM Order**)

In respect of the licence to act as SEM operator granted, under Article 10(1)(d) of the Electricity (Northern Ireland) Order 1992 (the **Electricity Order**), to **SONI Limited**.

- 1 In pursuance of its powers under Article 3 of the SEM Order, the Northern Ireland Authority for Utility Regulation, with the consent of the Department of Enterprise, Trade and Investment, hereby modifies the conditions of the above mentioned licence so as to modify Condition 16 of the licence insofar as is necessary to ensure that it is identical in form and content to the condition bearing the same number as set out in Appendix 1.
- 2 Paragraph 3 applies for the purposes of any agreement between the holder of a licence under Article 10(1)(a) of the Electricity Order and any other holder of a licence under that Order which:
 - (a) contains (in whatever terms) provisions which apply where there is a relevant change in law (as defined in the agreement), and also
 - (b) contains provisions which exclude from the definition of a relevant change in law any change in law which provides that it should not be a relevant change in law.
- 3 Neither the modifications referred to in paragraph 1, nor their coming into effect, shall constitute a relevant change in law.

Dated this day of October 2007

Dermot MacCann

Northern Ireland Authority for Utility Regulation

APPENDIX 1

Condition 16: Market System Development Plan

- 1 Where required by the Authority, and within such timeframe as the Authority may reasonably request, the Licensee shall, in conjunction with the Republic of Ireland Market Operator Licensee, prepare and submit to the Authority for approval a plan (the “**Market System Development Plan**”) for the development of the Single Electricity Market Trading and Settlement System over the following two calendar years.
- 2 The Licensee shall, in conjunction with the Republic of Ireland Market Operator Licensee, revise the Market System Development Plan at least annually in order that the information set out in the Market System Development Plan continues to be accurate in all material respects and shall submit all revisions it to the Authority for approval.
- 3 The Licensee shall:
 - (a) engage in a public consultation process, including any other form of consultation that the Authority may direct before submitting the Market System Development Plan to the Authority for approval; and
 - (b) report in writing to the Authority on the results of that process not later than when submitting the Market System Development Plan to the Authority for approval.
- 4 Where (and to the extent) required by the Authority, the Licensee shall amend the Market System Development Plan and shall submit such amended plan to the Authority for approval.
- 5 Where, and to the extent, required by the Authority, the Licensee shall publish the Market System Development Plan on the web-site for the Single Market Operation Business.
- 6 The Authority may from time to time give directions to the Licensee in respect of:
 - (a) the matters to be specified in the Market System Development Plan; and

(b) the review and revision by the Licensee from time to time of the Market System Development Plan,

and the Licensee shall comply with directions given by the Authority under this paragraph.