

Trading and Settlement Code Modifications Committee
C/O Stephanie Fargher
SEMO Modifications Committee Secretariat
The Oval
160 Shelbourne Rd
Dublin 4

20th January 2010

Our Ref: 39167

**SEM Committee Decision for the Regulatory Authorities in relation to Mod_40_09
(Recommendation Report FRR_40_09)**

Dear Stephanie,

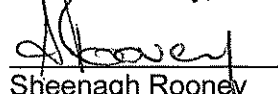
On 14th January 2010, the Modifications Committee submitted its Modification Recommendation Report with regard to Modification Proposal, Mod_40_09 (RA Modification Proposals) in accordance with paragraph 2.213 of the SEM Trading and Settlement Code (the Code).

This Modification Proposal was raised by the Regulatory Authorities in November 2009 to implement a SEM Committee Decision (SEM/09/099)¹ on RA Modification Proposals. It seeks to allow changes to the Code that are driven by regulatory processes, which have been consulted upon previously, to be the subject of a shorter review period by the Modifications Committee, leading to a timely report to the RAs.

The SEM Committee notes that the Modifications Committee believes that the Modification Proposals furthers the Code Objectives 'to facilitate the efficient, economic and coordinated operation, administration and development of the Single Electricity Market in a financially secure manner'. The SEM Committee also notes that the Modifications Committee voted unanimously to recommend Mod_40_09 for approval and that it should be implemented on a Trading Day basis on the next Working Day after the decision is made.

Considering the above, and in accordance with paragraph 2.218 of the Code, the SEM Committee decides that a modification be made in accordance with the Final Recommendation Report of the Modifications Committee (FRR_40_09), for the avoidance of doubt, based upon the legal drafting set out in Appendix 1 of that report. The Regulatory Authorities therefore direct that the Modification, as set out in FRR_40_09, be made on a Trading Day basis with effect from the next Working Day after the date of this letter.

Yours sincerely,



Sheenagh Rooney
Manager – Wholesale Electricity Market

¹ Published on www.allislandproject.org on 1st October 2009