

Grid Code Harmonisation for SEM  
Grid Code Governance  
EirGrid Grid Code General Conditions (GC)  
Consultation Version 1

**Introduction**

The proposed modifications detailed in this document are being made as a result of, amongst others, the themes discussed in the following Governance Paper that was approved by the Regulatory Authorities in October 2006:

[http://www.eirgrid.com/EirgridPortal/uploads/Grid Code docs for website/Grid Code Governance for SEM 20062909 v4\\_0 web.pdf](http://www.eirgrid.com/EirgridPortal/uploads/Grid Code docs for website/Grid Code Governance for SEM 20062909 v4_0 web.pdf)

This document contains both the new definitions required and a tracked changes version of the General Conditions detailing the proposed modifications.

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**New Definitions Required**

**Sections Under Common Governance:** Those parts of the **Grid Code** for which modifications and derogations require unanimous agreement and direction from both **Regulatory Authorities**. SDC1 and SDC2 are the **Sections Under Common Governance**.

**Regulatory Authority:** The authority appointed under legislation to regulate the electricity market in the respective jurisdiction. In the Republic of Ireland it is the **Commission** and in Northern Ireland it is **NIAUR** (Northern Ireland Authority for Utility Regulation).

**Regulatory Authorities:** Each **Regulatory Authority** taken together.

**Grid Code Review Panel:** The panel as set out in GC5 of the General Conditions.

**Joint Grid Code Review Panel:** The panel as set out in GC6 of the General Conditions.

## **General Conditions Proposed Modifications**

### **GC GENERAL CONDITIONS**

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## **GC GENERAL CONDITIONS**

### **GC.1 INTRODUCTION**

GC.1.1 While each individual section of the **Grid Code** contains the rules and provisions relating specifically to that section of the **Grid Code**, there are provisions of more general application, which need to be included in the **Grid Code**. Such provisions are included in the **General Conditions**.

GC1.2 Terms which are capitalised and in bold type shall be interpreted according to the definition in the **Glossary** of the **Grid Code**. Where the **Glossary** refers to any word or term which is more particularly defined in a part of the **Grid Code**, the definition in that part of the **Grid Code** will prevail over the definition in the **Glossary** in the event of any inconsistency

### **GC.2 OBJECTIVE**

GC.2.1 The objectives of the **General Conditions** are as follows:

- (a) to ensure, insofar as it is possible, that the various sections of the **Grid Code** work together, and work in practice, for the benefit of the operation of the **Power System** and for the benefit of the **TSO** and **Users**;
- (b) to provide a set of principles governing the status and development of the **Grid Code** and related issues, as approved by the **Commission**;
- (c) to provide an outline of how the **TSO**, the **Other TSO** and the **Regulatory Authorities** will cooperate with regard to **Grid Code** revisions and derogations to both **Sections Under Common Governance** and other **Grid Code** sections which may be considered to be relevant to the operation of the **SEM**.

### **GC.3 SCOPE**

The **General Conditions** apply to the **TSO**, the **Commission** and to all **Users** (which expression in these **General Conditions** means all persons (other than the **TSO**) to whom any individual section of the **Grid Code** applies).

### **GC.4 PURPOSE**

GC.4.1 This **Grid Code** is designed to cover all material technical aspects relating to the operation and use of the **Transmission System**, and (insofar as relevant to the operation

and use of the **Transmission System**) all material technical aspects relating to the use of **Plant** and or **Apparatus** connected to the **Transmission System** or to the **Distribution System**.

## **GC.5 GRID CODE REVIEW PANEL**

GC.5.1 The **TSO** shall establish and maintain the **Grid Code Review Panel** which shall be a standing body constituted to:

- (a) generally review and discuss the **Grid Code** and its workings;
- (b) review and discuss suggestions for amendments to the **Grid Code** which the **TSO**, the **Commission**, or any **User** may wish to submit to the **TSO** for consideration by the **Grid Code Review Panel** from time to time;
- (c) discuss what changes are necessary to the **Grid Code** arising out of any unforeseen circumstances referred to it by the **TSO** under GC.12; and
- (d) publish recommendations and ensure that **User** consultation upon such recommendations has occurred through **Grid Code Review Panel** members.

GC.5.2 The **Grid Code Review Panel** shall be governed by a constitution, which defines its scope, membership, duties, and rules of conduct and operation as approved by the **Commission**

## **GC.6 JOINT GRID CODE REVIEW PANEL**

GC.6.1 The **TSO** shall, in conjunction with the **Other TSO**, establish and maintain the **Joint Grid Code Review Panel**. This panel comprises all members of the **Grid Code Review Panel** and Northern Ireland Grid Code Review Panel and it has the following functions:

- a) review and discuss suggestions for amendments to the **Sections Under Common Governance** of the **Grid Code**, which the **TSO**, either **Regulatory Authority**, or any **User** may wish to submit to the **TSO** for consideration by the **Joint Grid Code Review Panel** from time to time;
- b) discuss what changes are necessary to the **Sections Under Common Governance** of the **Grid Code** arising out of any unforeseen circumstances referred to it by the **TSO** under GC.12; and
- c) publish recommendations and ensure that **User** consultation upon such recommendations has occurred through **Joint Grid Code Review Panel** members.

GC6.2 The **Joint Grid Code Review Panel** shall be governed by its own constitution, which defines its scope, membership, duties, and rules of conduct and operation as approved by both **Regulatory Authorities**.

## **GC.7** GRID CODE REVISIONS

GC.7.1 All revisions to the **Grid Code** must be reviewed by the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant) prior to application to the **Commission** by the **TSO**. Where the **TSO** identifies or receives a proposed revision that affects a **Section Under Common Governance**, they will bring it to the attention of the **Other TSO**. All proposed revisions from **Users**, the **Commission**, or the **TSO** will be brought before the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant) by the **TSO** for consideration. In the event that the **TSO**, acting reasonably, considers that proposed revisions are frivolous or repeated, the **TSO** may propose to the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant) that these proposed revisions are not to be considered. However, in the event that any member of the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant) decides that the revision is worthwhile, it shall be reviewed. The **TSO** shall then inform the proposer of the decision, with an accompanying explanation if required. If the proposing **User** is not satisfied with the response from the **TSO**, they can bring it to the attention of the **Commission**.

The **TSO** will advise the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant), all **Users**, and the **Commission** of all proposed revisions to the **Grid Code**, with notice of no less than 10 days in advance of the next scheduled meeting of the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant).

GC.7.2 Following review of a proposed revision by the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant), the **TSO** will apply to the **Commission** for revision of the **Grid Code** based on the **TSO** recommendation and shall make representation of all other views or considerations including those of the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant). The **TSO**, in applying to the **Commission**, shall also notify each **User** of the proposed revision and other views expressed by the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** (where relevant) and **Users** so that each **User** may consider making representations directly to the **Commission** regarding the proposed revision.

GC.7.3 The **Commission** shall consider the proposed revision, other views, and any further representations and shall determine whether the proposed revision should be made and, if so, whether in the form proposed or in an amended form. Where the proposed revision affects a **Section Under Common Governance**, the **Commission** will only approve a modification where there is unanimous agreement with the **Regulatory Authority in Northern Ireland**. Where amendments to the revision are contemplated by the **Commission**, the **Commission** shall consult the **Grid Code Review Panel or the Joint Grid Code Review Panel (where relevant)**, the **TSO**, and **Users** as appropriate.

GC.7.4 Having been so directed by the **Commission** that the applied for revision or amended revision shall be made, the **TSO** shall notify each **User** of the revision at least 14 **Business Days** prior to the revision taking effect, and the revision shall take effect (and this **Grid Code** shall be deemed to be amended accordingly) from (and including) the date specified in such notification or other such date as directed by the **Commission**. The date may be modified to ensure that the revision is implemented simultaneously in both jurisdictions on the island.

## **GC.8 GRID CODE INTERPRETATION**

GC.8.1 In the event that any **User** requires additional interpretation of the intention and application of any provision of the **Grid Code**, it may apply to the **TSO** for such interpretation. Provided that the request is reasonable, the **TSO** shall provide the **User** with an interpretation of the relevant provision. If the request refers to a **Section Under Common Governance** then the **TSO** shall liaise with the **Other TSO** prior to the provision of the interpretation to the **User**.

GC.8.2 In the event that the **User**, acting reasonably, considers that an interpretation provided by the **TSO** pursuant to GC.8.1 is incomplete, the **User** may request additional clarification from the **TSO**.

GC.8.3 In the event that the **User**, acting reasonably, considers that an interpretation provided by the **TSO** pursuant to GC.8.1 is unreasonable or incorrect, the **User** may require the **TSO** to refer the matter for consideration, at the next scheduled meeting of the **Grid Code Review Panel or the Joint Grid Code Review Panel (where relevant)** (or in the event that there is insufficient time before the next scheduled meeting, then at the meeting immediately following the next scheduled meeting).

**GC.9 DEROGATIONS**

GC.9.1 If a **User** finds that it is, or will be, unable to comply with any provision of the **Grid Code**, then it shall without delay report such non-compliance to the **TSO** and shall, subject to the provisions of GC.9.2 make such reasonable efforts as are required to remedy such non-compliance as soon as reasonably practicable. If the **TSO** believes that the non-compliance may have an impact on the **Other Transmission System** or on the operation of the **SEM** it may provide details of the non-compliance to the **Other TSO**.

GC.9.2 Where the non-compliance is:

- (a) with reference to **Plant** and/or **Apparatus** connected to the **Transmission System** and is caused solely or mainly as a result of a revision to the **Grid Code**;  
or
- (b) with reference to **Plant** and/or **Apparatus** which is connected, approved to connect, or for which approval to connect to the **Transmission System** is being sought

and the **User** believes either that it would be unreasonable (including cost and technical considerations) to require it to remedy such non-compliance or that it should be granted an extended period to remedy such non-compliance, it shall promptly submit to the **Commission** a request for a derogation from such provision in accordance with the requirements of GC.9.3 and shall provide the **TSO** with a copy of such a request.

GC.9.3 A request for derogation from any provision of the **Grid Code** shall contain:

- (a) the version number and the date of the **Grid Code** which includes the provision against which the non-compliance or predicted non-compliance was identified;
- (b) identification of the **Plant** and/or **Apparatus** in respect of which a derogation is sought and, if relevant, the nature and extent to which the non-compliance exists;
- (c) identification of the provision with which the **User** is, or will be, unable to comply;
- (d) the reason for the non-compliance; and
- (e) the date by which compliance will be achieved (if remedy of the non-compliance is possible) subject to GC.89.2.

GC.9.4 If the **TSO** finds that it is, or will be, unable to comply with any provision of the **Grid Code**, then it shall, subject to the remaining provisions of GC.9 make such reasonable efforts as are required to remedy such non-compliance as soon as reasonably practicable.

GC.9.5 In the case where the **TSO** requests derogation, the **TSO** shall submit the information set out in GC.9.3 to the **Commission**.

GC.9.6 On receipt of any request for derogation, the **Commission** shall promptly consider such request. Where the **Commission** identifies that a derogation request may impact on the on the **Other Transmission System** or the operation of the **SEM**, the **Commission** shall liaise with the **Regulatory Authority** in Northern Ireland in its consideration of the request. Provided that the **Commission** considers that the grounds for the derogation are reasonable, the **Commission** shall grant such derogation unless the derogation would, or it is likely that it would, have a material<sup>ly</sup> adverse impact on the security and stability of the **Transmission System** or the **Other Transmission System** or impose unreasonable costs on the operation of the **Transmission System** or on other **Users**. In its consideration of a derogation request by a **User**, the **Commission** may contact the relevant **User** and/or the **TSO** to obtain clarification of the request, or to obtain further information regarding the request, or to discuss changes to the request. Where the derogation request may have an impact on the **Other Transmission System** or the operation of the **SEM**, the **TSO** shall liaise with the **Other TSO** prior to providing an assessment to the **Commission**. The **TSO** may also contact the relevant **User** to obtain clarification of the request, or obtain further information regarding the request, or to discuss changes to the request. The **User** shall respond to all such requests without undue delay.

Derogations from any provision of the **Grid Code** shall contain:

- (a) the version number and the date of the **Grid Code** which includes the provision against which the derogation applies;
- (b) identification of the provision with which the derogation applies;
- (c) identification of the **Plant** and/or **Apparatus** in respect of which a derogation applies and, if relevant, the nature and extent to which the derogation applies including alternate compliance provisions;

- (d) the reason for the non-compliance requiring derogation;
- (e) the date by which the derogation ends if compliance will be achieved, or by which such derogation expires.

**GC.9.7** To the extent of any derogation granted in accordance with this **GC.9**, the **TSO** and/or the **User** (as the case may be) shall be relieved from its obligation to comply with the applicable provision of the **Grid Code** and shall not be liable for failure to so comply but shall comply with any alternate provisions as set forth in the derogation.

**GC.9.9** The **TSO** shall:

- (a) keep a register of all derogations which have been granted, identifying the company and **Plant** in respect of whom the derogation has been granted, the relevant provision of the **Grid Code** and the **Grid Code** version number, the period of the derogation and the extent of compliance to the provision; and
- (b) on request from any **User** or User of the Other Grid Code, provide a copy of such register of derogations to such **User**

**GC.9.9** Where a material change in circumstance has occurred a review of any existing derogations, and any derogations under consideration, may be initiated by the **Commission** at the request of the **Commission**, the **TSO**, or **Users**.

## **GC.10** PLANT FAILURES

**GC.10.1.1** When partial breakage or partial failure of a **Plant** and/or **Apparatus** occurs which causes a non-compliance but does not necessarily prevent the **Plant** and/or **Apparatus** being operated safely or securely then the **User** shall promptly notify the **TSO** of the non-compliance and the **User's** proposed programme for remedying the non compliance.

**GC.10.1.2** Where time permits and if the **TSO** reasonably considers that a non-compliance of a **User** as described in **GC.10.1.1** may have a materially adverse impact on another **User** or **Users**, the **TSO** will consult the affected **User** or **Users** as to the impact of the intended non-compliance on the **User** or **Users**. If the TSO considers that non-compliance may have an impact on the SEM, it shall inform the Other TSO of the non-compliance.

GC.10.1.3 If the **TSO**, acting reasonably, and taking into account the operation of the **Transmission System** and the consultation with any affected **Users** in GC.10.1.2, is satisfied as to the **User's** programme for remedying the non-compliance, and the breakage or failure is not causing or is not likely to cause the **Plant** and/or **Apparatus** to materially affect the security and stability of the **Transmission System** or other **Users** and is not likely to impose unreasonable and unforeseen costs on the operation of the **Transmission System** or other **Users**, then the **TSO** may, for so long as the **TSO** is so satisfied, treat the **User** as being in compliance with the relevant provision of the **Grid Code**, and the **User** will be deemed to be so compliant.

GC.10.1.4 If the **TSO**, at its discretion, taking into account the operation of the **Transmission System** and the consultation with any affected **Users** in GC.10.1.2, is not satisfied as to the **User's** programme for remedying the non compliance, the **User** shall apply for a derogation under the terms of GC.9.

GC.10.2 When breakage or failure of a **Plant** and/or **Apparatus** occurs which causes a non-compliance which prevents the **Plant** and/or **Apparatus** being operated safely or securely then the **User** shall promptly notify the **TSO** of the non-compliance and reflect such non-compliance in Availability Notices and Technical Parameters Notices and other data submitted under SDC1 until such time as the non-compliance has been remedied.

GC.10.3 Failing agreement between the **User** and the **TSO**, the **User** shall immediately apply for derogation in accordance with GC 9.2.

## **GC.11 ASSISTANCE IN IMPLEMENTATION**

GC.11.1 The **TSO** has a duty to implement, and comply with, the **Grid Code** as approved by the **Commission**.

GC.11.2 In order to fulfil its duty to implement the **Grid Code** the **TSO** may, in certain cases, need access across boundaries, or may need services and/or facilities from **Users**. This could, for example, include **De-Energising** and/or disconnecting **Plant** and/or **Apparatus**. It is hoped that these cases would be exceptional and it is not, therefore, possible to envisage precisely or comprehensively what the **TSO** might reasonably require in order to put it in a position to be able to carry out its duty to implement the **Grid Code** in these circumstances.

GC.11.3 Accordingly, all **Users** are required not only to abide by the letter and spirit of the **Grid Code**, which shall include providing the **TSO** with such rights of access, services and facilities as provided for in appropriate agreements, and complying with such instructions as the **TSO** may reasonably require in implementing the **Grid Code**.

## GC.12 UNFORESEEN CIRCUMSTANCES

GC.12.1 If circumstances arise which the provisions of the **Grid Code** have not foreseen, the **TSO** shall to the extent reasonably practicable in the circumstances, consult promptly and in good faith with all affected **Users**, and where the **TSO** deems it appropriate, with the **Other TSO**, in an effort to reach agreement as to what should be done.

GC.12.2 If agreement between the **TSO** and those **Users** as to what should be done cannot be reached in the time available, the **TSO** shall determine what should be done. If the unforeseen circumstance may have an impact on the **SEM**, the **TSO** shall, where possible, consult with the **Other TSO**, with a view to jointly determining what should be done. Whenever the **TSO** makes such a determination it shall have regard wherever practicable in accordance with this GC.12.2 to the views expressed by **Users** and, in any event, the **TSO** will act reasonably and in accordance with **Prudent Utility Practice** in all circumstances. In addition the **TSO** will, following such a determination and upon request, make available to any affected **User** its reasons for the determination.

GC.12.3 Each **User** shall comply with all instructions given to it by the **TSO** following such a determination provided the instructions are consistent with the then current technical parameters of the **User System** as notified under the **Grid Code**. The **TSO** shall promptly refer all such unforeseen circumstances, and any such determination, to the **Grid Code Review Panel** or the **Joint Grid Code Review Panel** as appropriate for consideration in accordance with GC.5.1(c).

## GC.13 HIERARCHY

In the event of any conflict between the provisions of the **Grid Code** and any contract, agreement, or arrangement between the **TSO** and a **User**, the provisions of the **Grid Code** shall prevail unless the **Grid Code** expressly provides otherwise.

**GC.14** OWNERSHIP OF PLANT AND/OR APPARATUS

References in the **Grid Code** to **Plant** and/or **Apparatus** of a **User** include **Plant** and/or **Apparatus** used by a **User** under any agreement with a third party.

**GC.15** SYSTEM CONTROL

Where a **User System** (or part thereof) is, by agreement, under the **TSO** control, then for the purposes of communication and the co-ordination of operational time scales the **TSO** can (for these purposes only) treat that **User System** (or part thereof) as part of the **Transmission System**, but as between the **TSO** and other **Users** it will continue to be treated as the **User System**.

**GC.16** ILLEGALITY AND PARTIAL INVALIDITY

GC.16.1 If any provision of the **Grid Code** should be found to be illegal or partially invalid for any reason, the legality and validity of all remaining provisions of the **Grid Code** shall not be affected.

GC.16.2 If part of a provision of the **Grid Code** is found to be unlawful or invalid but the rest of such provision would remain valid if part of the wording were deleted, the provision shall apply with such modification as may be necessary to make it valid and effective, but without affecting the meaning or validity of any other provision of the **Grid Code**.