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STATUTORY INSTRUMENTS

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**2014 No. 2043**

**The Electricity Capacity Regulations 2014**

**PART 10**

Dispute resolution and appeals

CHAPTER 1

Delivery Body decisions

**Requesting reconsideration by the Delivery Body**

**69.**—(1) An affected person may request the Delivery Body to review a delivery body reviewable decision.

(2) The request must—

- (a) be submitted in writing to the Delivery Body within 5 working days after receiving notice of the decision; and
- (b) include each of the matters specified in sub-paragraphs (a) to (e) of regulation 70(3).

(3) The Delivery Body must, within 5 working days after receiving a request which complies with paragraph (2)—

- (a) reconsider the matter; and
- (b) give notice to the affected person of—
  - (i) the outcome of the reconsideration (the “reconsidered decision”); and
  - (ii) the reasons for the reconsidered decision.

(4) The Delivery Body must, within 5 working days after receiving a request which does not comply with paragraph (2), give notice to the affected person that the request is rejected as not complying with that paragraph, and give the reason why.

(5) Subject to regulation 87(7), in reconsidering a prequalification decision or a decision to issue a termination notice or a notice of intention to terminate, the Delivery Body must not take into account any information or evidence which—

- (a) the affected person was required by these Regulations or capacity market rules to provide to the Delivery Body before the decision was taken; and
- (b) the affected person failed to provide in accordance with that requirement.

(6) Subject to regulations 70 to 72, the reconsidered decision is final.