

Application form for Derogation

including explanatory notes

IMPORTANT: Please read this carefully before completing this form. Italicised words and expressions used herein (but not otherwise defined herein) shall have the same meanings respectively ascribed to them in the Singapore Electricity Market Rules.

Why do you need to complete this form?

The *EMC* is licensed by the Energy Market Authority (the “*Authority*”) to operate the *wholesale electricity markets* in Singapore. One of the *EMC*’s responsibility is to process derogation requests relating to the *market rules*, any *market manual* or the *system operation manual*. You must complete this form if you want to:

- submit an application for an exemption from compliance with a specific obligation, requirement or standard which is or may be imposed on you or in respect of your facilities or equipment by the *market rules*, any *market manual* or the *system operation manual*, or
- submit an application for a permanent exemption from any obligation, requirement or standard which is or may be imposed on you or in respect of your facilities or equipment by the *market rules*, any *market manual* or the *system operation manual*.

What about derogation applications under any Codes of Practice, Licence or Agreements?

You will need to submit your application for derogation under those regulatory documents to the *Authority*.

Why did EMC develop this form?

The *EMC* has developed this form for applicants to apply for derogations as described in the *market rules*. You should read the relevant sections of the *market rules* prior to completing the form. Please also read the *EMC*’s disclaimer at the end of this form.

Who is eligible to apply for derogation?

Any *market participant*, *market support services licensee*, the *PSO* and the *EMC* may apply for a derogation under the *market rules*. If you intend to be a *market participant* and wish to apply for derogation, you may apply for derogation if you have been granted *conditional registration* in the *market participant* registration process.

What if EMC needs further information and clarification?

The *EMC* may request in writing any further information or clarification required by the *EMC* to process your application. It is important that you respond promptly to the *EMC*’s requests in writing, to facilitate the processing of your application as efficiently as possible.

All communications between you and the *EMC* in respect of such further information or clarification shall be in writing.

When will you know the outcome of your application?

The *EMC* will notify you in writing of the outcome within 20 *business days* of the receipt of your fully completed derogation application form. In the event that the *EMC Board* is unable to issue a decision within 20 *business days* of the receipt of your application, you will be notified, indicating the date on or before which the decision is expected to be issued.

Is there an application fee for your derogation application?

There is a non-refundable application fee of S\$5,500 (inclusive of the prevailing GST) per application. Please make the crossed cheque payable to “Energy Market Company Pte Ltd” and attach it with your application form. The *EMC* reserves the right to levy a fee at any time in the future to defray additional costs associated with processing your *derogation application*.

How do you submit this application form?

Completed application forms should be submitted to Energy Market Company Pte Ltd, Market Administration at **4 Shenton Way #03-01 SGX Centre 2 Singapore 068807** by registered post or by courier.

Please print clearly. Illegible writing or incomplete forms may delay the processing of your application.

A. DEROGATION APPLICANT DETAILS

1. **Name of Applicant (in full):** _____
2. **Identification Number¹:** _____
3. **Registered Address:** _____
4. **Mailing Address:** _____
5. **Regulatory Details:**
Electricity licence number(s): _____
State activities exempted from licensing requirement: _____
Exemption order number(s): _____
6. **Telephone No.:** _____
7. **Facsimile No.:** _____
8. **Website:** _____

B. CONTACTS

9. **Contact persons for your *derogation application*:**

	Main Contact	Alternative Contact
Full Name & Designation		
Business Telephone / Mobile Phone Nos.		
Business Email Address		
Business Fax Nos.		

C. INFORMATION ABOUT THE DEROGATION APPLICATION

10. **What is the subject of your *derogation application*?**
 - Singapore Electricity Market Rules
(Chapter, section and clause number): _____
 - System Operation Manual*
(Chapter, section and clause number): _____
 - Market Manual*
(Name of *market manual*, section and clause number): _____
11. **What is the duration for which you would like the derogation granted? _____ (in months)**

¹ This refers to the Applicant's ACRA registration number, Unique Entity Number or NRIC number, as the case may be.

D. SUPPORTING DOCUMENTS TO BE ATTACHED TO APPLICATION FORM

Please provide the following information in a separate sheet.

12. Please quote (including section number(s)) policy, standard or procedure to which this *derogation application* relates.
13. Please detail the reasons and justify your derogation request.
14. Please attach a plan specifying:
 - the manner and time within which the *derogation applicant* will become compliant with the obligation, requirement or standard that is the subject of the *derogation application*; and
 - the manner in which the *derogation applicant* proposes to mitigate any adverse effects of any non-compliance with the obligation, requirement or standard, and to operate or modify its equipment or facilities or to otherwise conduct its operations during the period of time for which the derogation would be in effect so as to operate in a manner that achieves, as closely as possible, the objectives of the obligation, requirement or standard that is the subject of the derogation application; and
 - the *derogation applicant's* estimate of any costs that may be imposed on the *EMC*, the *PSO*, *market participants* or *market support services licensees* if the derogation requested in the *derogation application* were to be granted.
15. Please submit written confirmation from the *EMC*, the *PSO*, *market participants* (if available) or *market support services licensees* that they are agreeable to the estimated costs that are likely to be imposed on them if this *derogation application* were to be granted.
16. Please provide a detailed assessment as to whether or not the *derogation application*, if granted, would:
 - materially threaten the ability of the *PSO* to direct the operation or maintain the reliability of the power system;
 - materially affect the ability of the *EMC* to operate the *wholesale electricity markets* in an efficient manner;
 - give the *derogation applicant* an undue preference or advantage over other *market participants* in the *wholesale electricity markets*;
 - impose significant extra costs on *market participants* or *market support services licensees*; or
 - impose significant extra costs on the *EMC* or the *PSO*.
17. Please provide a detailed assessment as to whether the cost or delay to the *derogation applicant* of complying with the obligation, requirement or standard that is the subject of this *derogation application* is unreasonable, having regard to:
 - the nature of such obligation, requirement or standard;
 - the identity and nature of the *derogation applicant*; and
 - the anticipated impact of non-compliance by the *derogation applicant* with such obligation, requirement or standard in terms of the elements referred to above.
18. Please provide an estimation of the cost that may be incurred by the *derogation applicant* as a result of a withdrawal or modification to this derogation if it had been granted.

E. CERTIFICATION AND UNDERTAKING

We/I, the undersigned applicant, hereby certify that the information provided by us/me (or on our/my behalf) in or in connection with this *derogation application* form is true, complete and accurate and not misleading or omitting any material particular (to the best of our/my knowledge, information and belief after having carried out all necessary due diligence to determine the same).

We/I hereby undertake to immediately notify the *EMC* in writing of any change to any information in relation to the *derogation application* herein and provide information and documentation as may be required by the *EMC*.

We/I confirm and acknowledge that the information provided by us/me (or on our/my behalf) in or in connection with this form may need to be disclosed, communicated or exchanged by the *EMC* to or with other parties, including but not limited to the *PSO*, as necessary, desirable or expedient for the purposes of processing this form and we/I hereby consent to such disclosure, communication or exchange.

We/I further confirm and acknowledge that the information provided in or in connection with this *derogation application* will be published in its entirety, unless parts of this information over which confidentiality is claimed are highlighted to the *EMC*, and hereby consent to such publication.

Signed for and on behalf of _____ (Name of Applicant)

Signature: _____

Name of officer: _____

Position/designation: _____

Date: _____

F. EMC'S DISCLAIMER

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