

MOSL

MARKET OPERATOR SERVICES LTD



Service Description

Disputes

1 Service overview

MOSL will look to minimise disputes within the market by providing guidance on the Codes and their interpretation. It will provide a robust and transparent approach to resolving disputes quickly and efficiently and once a dispute has been resolved, provide clarifications and recommend change proposals to avoid repeat incidents.

MOSL will provide access to an online disputes management application and will publish summary information on all disputes. This will enable parties to manage disputes through to resolution, monitor the progress of their dispute and understand the level and nature of disputes within the market.

Disputes can provide valuable learning for the market and can highlight areas where further improvements may be required. Where there is a specific item which is subject to repeat disputes, MOSL will facilitate cross-market discussions outside of the disputes process to understand what change is required to enable more effective competition.

2 Service objectives

One of MOSL's key functions is to provide a transparent, self-governing market. To support this, the key objectives of the disputes service are to:

1. Avoid the need for disputes as far as possible by providing clear guidance and information on Codes and market processes
2. Drive efficiency within the market by enabling Disputing Parties to resolve disputes bilaterally wherever possible
3. Build trust within the market by providing transparency of dispute information
4. Support Trading Parties to 'self-serve' by digitally enabling the dispute processes
5. Avoid repeat disputes by publicising dispute outcomes and issuing guidance to the market
6. Recommend change proposals to resolve ambiguous aspects of the Code to minimise the potential for misinterpretations.

3 Service deliverables & SLAs

MOSL will provide case management services for all escalated disputes, to drive consistency and fairness across the market. This includes tracking progress to ensure the complete resolution of issues and to provide insight and learning into any challenges faced by the market, whether code, system, process or behavioural.

To further enable the market, MOSL is providing Trading Parties with online disputes management via Kissflow, our workflow management software. This will enable the initiating parties to manage their disputes through to resolution, having full visibility of the status of their disputes throughout. Summary details of all disputes will be published on MOSL's website as we believe such transparency enables the market to address issues and adopt revised practices more quickly. Trading Parties have access to an app for each type of

dispute: trading, market operator and market arrangements code/non-trading, with built-in activities and SLAs as required by the code.

MOSL also acts as the secretariat for the Trading Disputes Committee (TDC), who are tasked with providing resolution to Trading Disputes that Disputing Parties cannot resolve bilaterally. This involves providing information to the TDC and Panel and communicating outcomes to the market.

In addition to these core service provisions, MOSL provides specific deliverables for each type of dispute as outlined below.

Trading Disputes

Deliverable	Description	SLA	Code Reference
MOSL notice to Trading Parties	Publication of a notice outlining Trading Disputes that have been raised between Trading Parties	Publication within seven Business Days of receiving notice from a disputing party	Market Arrangements Code; Schedule 9 Section 3.3.1
Resolution via Trading Disputes Committee	Disputes that cannot be resolved bi-laterally between parties will be resolved by the Trading Disputes Committee	None	Market Arrangements Code; Schedule 9

Market Operator Disputes

Deliverable	Description	SLA	Code Reference
Meeting with MO Disputing Parties	MOSL will attend this meeting in separate capacities as case manager and disputing party	20 Business Days of MOSL receiving written notice	Market Arrangements Code; Section 18.1.2
Resolution of MO Dispute	Disputing Parties must either agree upon a resolution within ten Business Days of the meeting held by the Trading Parties, agree to an extension, or escalate to an Expert	Within 10 Business Days of the dispute meeting	Market Arrangements Code; Section 18.1.4
Rectification Plan (as required)	Where required as part of the resolution of the dispute, MOSL will provide a Rectification Plan outlining actions to be taken to rectify adverse impacts of the initial dispute	As agreed as part of dispute resolution	Market Arrangements Code; Section 18

MAC/Non-Trading Disputes

Deliverable	Description	SLA	Code Reference
Meeting with Disputing Party(s)	MOSL will attend this meeting, in its capacity as case manager	10 Business Days of MOSL receiving written notice	Market Arrangements Code; Section 17.2.2 Business Terms; Section 17.3.2
Resolution of Dispute	Disputing Parties must seek to agree upon a resolution or escalate the dispute.	Within 20 Business Days of MOSL receiving written notice	Market Arrangements Code; Section 17.2.2 Business Terms; Section 17.3.2

4 MOSL's expectations of Disputing Parties

Trading Parties are expected to work together and with MOSL to resolve potential issues before they are formally raised as disputes. This includes raising a statutory query with MOSL prior to raising a dispute. Disputes should not be raised until the possibility of resolving the issue through the query process and all ordinary interaction with the other party has been exhausted.

When raising a dispute Trading Parties are expected to complete the relevant app in Kissflow and follow the process through to resolution, making all reasonable endeavours to engage and acting in good faith to resolve the issue. This includes, where needed, engaging in arbitration to determine a suitable final outcome.

MOSL as a Disputing Party

Where MOSL is a Disputing Party, it is recognised that there is the potential for conflicts of interest to arise in its capability to provide case management services. MOSL has therefore instilled a code of conduct for its dispute services to prevent such issues occurring and provide reassurance and confidence to the market. This includes the separation of key duties within MOSL at operational and executive level with a clearly defined remit for both.



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