

Public

Contracts for Difference Non-Qualification Appeals Guidance

Allocation Round 7 and 7A

Version 1.0

October 2025

Public

Contents

1.	Overview.....	3
1.1	Purpose.....	3
1.2	Considerations	3
1.3	Scope.....	3
2.	Applicable CFD Regulations and Rules.....	3
2.1	Applicable Regulations.....	3
2.2	Applicable Contract Allocation Framework Rules	3
3.	The Authority's Guidance	4
4.	Key stages of non-qualification appeals.....	4
4.1	Stage 1 – Submission of Appeal	4
4.2	Stage 2 – Authority Review of Appeal	4
4.3	Stage 3 – Delivery Body Information Request	4
4.4	Stage 4 – Authority Determination.....	4
4.5	Stage 5 – High court Appeals	4
4.6	Key Dates for AR7a And AR7	5
5.	Non-Qualification Appeal Notice Requirements.....	5
5.1	The Appeal Notice provided to the Authority	5
6.	Entering the Required Information in the EMR Delivery Body Portal.....	6
6.1	High-level process steps for updating the EMR Delivery Body Portal	6
6.2	Process steps with screenshots.....	6
7.	AR7 and AR7a Timeline.....	8

Public

Revised for 2025

4.1 Confirming the Qualification Appeal must be submitted to the Authority

4.2 Key Dates for Allocation Round 7 and 7a

6.2 Latest date to provide the copy of the appeal to the Delivery Body

1. Overview

1.1 Purpose

1.1.1 The purpose of the guidance document is to outline the specific process for Applicants to submit a copy of their Qualification Appeal notice to the Delivery Body, on the EMR Delivery Body Portal, including how to submit the actual appeal to the Authority (Ofgem).

1.2 Considerations

1.2.1 This document is accurate at the time of publishing and is based on the information provided in the final Contract Allocation Framework and published timeline for AR7 and AR7a. This guidance is to be used in conjunction with the Authority's produced guidance.

1.3 Scope

1.3.1 This guidance document is intended to be used by organisations who have been notified of a non-qualifying outcome in a non-qualification review (a "Non- Qualification Review Notice") from the Delivery Body and are seeking to ensure they understand the process for how to submit a Qualification Appeal notice.

2. Applicable CFD Regulations and Rules

2.1 Applicable Regulations

2.1.1 Regulation 20 of The Contracts for Difference (Allocation) Regulations 2014 (as amended).

2.1.2 Regulation 43 of The Contracts for Difference (Allocation) Regulations 2014 (as amended).

2.2 Applicable Contract Allocation Framework Rules

2.2.1 Rule 8, Non-Qualification Reviews and Qualification Appeals

Public

3. The Authority's Guidance

- 3.1.1 The disputes process concerning non-qualification determinations, qualification appeals, is managed by the Authority.
- 3.1.2 The Authority provide specific Electricity Market Reform Dispute Resolution Guidance and can be accessed here: <https://www.ofgem.gov.uk/guidance/electricity-market-reform-dispute-resolution-guidance-0>.

4. Key stages of non-qualification appeals

4.1 Stage 1 – Submission of Appeal

- 4.1.1 **The Applicant submits the Qualification Appeal to the Authority and then provides a copy to the Delivery Body on the EMR Delivery Body Portal.** This must be done within 5 Working Days from receipt of Non-qualification Review Notice. The Delivery Body will notify stakeholders that there are appeals in progress.

4.2 Stage 2 – Authority Review of Appeal

- 4.2.1 The Authority must determine a Qualification Appeal as soon as practicable. The Allocation process may proceed if there is a delay in receiving an Authority decision.

4.3 Stage 3 – Delivery Body Information Request

- 4.3.1 The Authority may by notice require the Delivery Body to provide it with information to assist the Authority to determine a qualification appeal.

4.4 Stage 4 – Authority Determination

- 4.4.1 **The Authority can overturn or uphold the original decision and provide reasons for the Determination.** The Authority gives notice to the applicant and Delivery Body, stating its determination and the date of the determination. Post the outcome, the Delivery Body establishes the Appeals Register once CfD Notifications have been issued.

4.5 Stage 5 – High court Appeals

- 4.5.1 The Applicant has 28 calendar days to appeal to High Court or Court of Session in Scotland, where The Authority upholds the Delivery Body's decision. The High Court could then ask The Authority to reconsider their decision and/or direct the Delivery Body to reinstate the application as a Qualifying Applicant.

Public

4.6 Key Dates for AR7a And AR7

Allocation Round Stage	Date(s)
Applicants notified of outcome of non-qualification review (a "Non-Qualification Review Notice")	17 October 2025
Window for non-qualifying applicants to request a Qualification Appeal (Tier 2 appeal)	20 – 24 October 2025
Non-qualifying Applicants notified of the outcome of Qualification Appeal (Determinations of the Authority)	28 November 2025* *This is an indicative date and is subject to change

5. Non-Qualification Appeal Notice Requirements

Please note that Applicants must first submit the appeal to the Authority before providing the copy of Appeal to the Delivery Body. Information on the process of how to do this can be found [here](#).

5.1 The Appeal Notice provided to the Authority

5.1.1 Pursuant to Regulation 44(1), the Appeal Notice must contain:

- a concise statement identifying the relevant part of the Delivery Body's decision in dispute and setting out the facts on which the appellant relies;
- a summary of the grounds for disputing the Delivery Body's decision;
- a succinct presentation of the arguments supporting each of the grounds for dispute;
- a schedule listing the documents submitted with the request for a non-qualification review

5.1.2 Pursuant to Regulation 44(2), the Appeal Notice should be accompanied by copies of:

- the non-qualification determination;
- the non-qualification review decision notice;
- any information or evidence submitted to the Delivery Body to support the non-qualification review by the Delivery Body;
- any other relevant documentary evidence which the appellant wishes to rely on in support of its appeal which was provided to the Delivery Body before the non-qualification review was made;

Public

- (e) evidence to show what evidence was before the Delivery Body when the non-qualification review was made. For example, if the applicant is seeking to demonstrate that the Delivery Body had a document in its possession related to the reviewable decision that was not considered by the Delivery Body in making that decision.
- (f) No other information or documentary evidence should be supplied with the appeal notice.

6. Entering the Required Information in the EMR Delivery Body Portal

6.1 High-level process steps for updating the EMR Delivery Body Portal

- 6.1.1 The **Main Admin or Deputy Main Admin** logs into the EMR Delivery Body Portal.
- 6.1.2 The user should select the **"Contracts for Difference"/"Reviews and Appeals"** from the menu on the left-hand side of the portal.
- 6.1.3 The user should now select **"Provide Copy of Appeal"** and then from the menu select the applicable application and select **"Create"**.
- 6.1.4 Finally, the user should add the attachment (Copy of Appeal) and select **"Submit"**.

6.2 Process steps with screenshots

Please be advised the screenshots below are taken from the Delivery Body's test environment so the EMR portal may be displayed slightly different on some pages for users in 2025.

In the EMR Delivery Body Portal, the main admin or deputy main admin should click on **"Contracts for Difference"/"Reviews and Appeals"**.

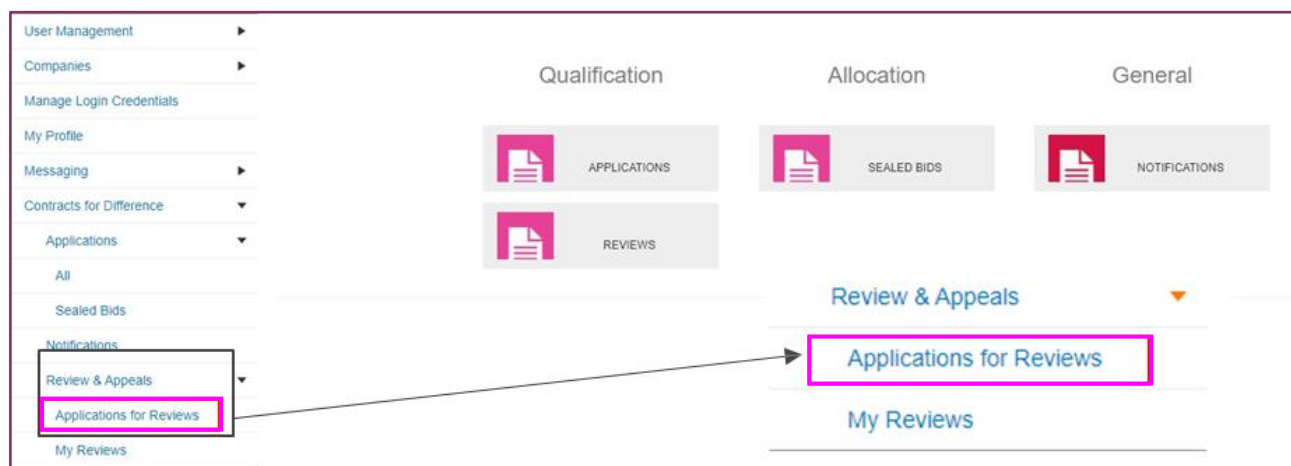


Figure 1 – EMR Delivery Body Portal homepage

Public

- 6.2.1 The applications that have a non-qualifying after review status will now be visible for the user to submit a copy of the appeal.
- 6.2.2 The **Main Admin or Deputy Main Admin** should select the **“Provide Copy of Appeal”** button. When the Provide Copy of Appeal box pops up, select the choose file button and upload the copy of appeal submitted to the Authority.

Application ID ▼	Company ▼	Round ▼	Pot ▼	Review Status ▼	Appeal Raised ▼
CFD-2022-08-2493	NATIONAL GRID ELECTRICITY SYSTEM OPERATOR LIMITED	AR4_QaulLetters_Test	Pot3_AR4QualLetters_Test	Qualifying Applicant after Review	Display Result Letter
CFD-2022-08-8784	NATIONAL GRID ELECTRICITY SYSTEM OPERATOR LIMITED	AR4_QaulLetters_Test	Pot2_AR4QualLetters_Test	Non Qualifying Applicant after Review	Display Result Letter Provide Copy of Appeal
CFD-2022-08-9464	NATIONAL GRID ELECTRICITY SYSTEM OPERATOR LIMITED	AR4_QaulLetters_Test	Pot1_AR4QualLetters_Test	Non Qualifying Applicant after Review	Display Result Letter Provide Copy of Appeal

Figure 2 – Applicant view to provide copy of appeal

- 6.2.3 Multiple files can be uploaded at this stage, but only the documents provided to the Authority should be provided.

[User Management](#)
[Companies](#)
[Manage Login Credentials](#)
[My Profile](#)
[Messaging](#)
[Contracts for Difference](#)

Provide Copy of Appeal

Application: CFD-2022-08-8784

Date: 16/03/2022 12:39:11

Attachments:

[Add file](#)

[Choose file](#) No file chosen [Remove](#)

[Submit](#) [Cancel](#)

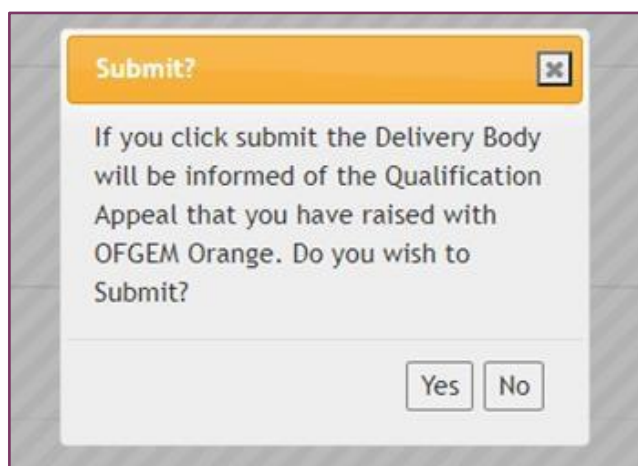
Uploading attaches to the copy of appeal submission

1. Select **‘Choose File’** to search for files on your computer to upload.
2. Select **‘Add File’** to add more files to the Appeal section.
3. Select **‘Remove’** to delete files that you do not wish to include in the submission.
4. For **multiple file uploads**, please compile files into a single PDF or Zip Folder. The **maximum file size for uploads is 2GB**, and the mandatory file formats are Microsoft Office files, PDF or JPEG (e.g. .docx / .xlsx / .pdf).

Figure 3 – Applicant screen to provide the copy of the Appeal

Public

- 6.2.4 Once the **Main Admin** or **Deputy Main Admin** has confirmed the correct attachments have been provided, select **submit**.
- 6.2.5 The EMR Portal will display a confirmation screen, select **Yes** to submit.



Applicants should not submit the copy of the Appeal Notice to the Delivery Body until this has been raised with the Authority and are con that the information provided is the same as provided to the Authority.

Applicants are unable to withdraw the copy of the Appeal Notice once the submission has been confirmed.

Figure 4 – EMR Portal – Review Form Submission

- 6.2.6 Once confirmed the status of the application will change to “**Qualification Appeal Submitted**” and the Appeal Raised column will display as “**Yes**”.
- 6.2.7 Applicants who have provided the copy of the appeal notice will now be able to view the copy of appeal provided for their application in the EMR Delivery Body Portal.

Application ID	Company	Round	Pot	Review Status	Appeal Raised	
CFD-2022-08-8784	NATIONAL GRID ELECTRICITY SYSTEM OPERATOR LIMITED	AR4_QaulLetters_Test	Pot2_AR4QualLetters_Test	Qualification Appeal Submitted	Yes	Display Result Letter View Copy of Appeal

Figure 5 – EMR Portal – Confirmation of Appeal Raised

- 6.2.8 **The deadline to provide the copy of the appeal is by 5pm, 24 October 2025.**
- 6.2.9 If requested by the Authority, the Delivery Body will discuss the appeals notice and comments from the application with the Authority in the Non-Qualification appeals assessment window.

7. AR7 and AR7a Timeline

- 7.1.1 Please refer to the CFD Allocation Round Resource Portal for the [round specific timeline](#), as well as in round communications relevant to the Qualification Appeal process.

Public

Legal Disclaimer and Copyright

This document has been prepared by National Energy System Operator Limited (NESO) and is provided voluntarily and without charge. Whilst NESO has taken all reasonable care in preparing this document, no representation or warranty either expressed or implied is made as to the accuracy or completeness of the information that it contains and parties using information within the document should make their own enquiries as to its accuracy and suitability for the purpose for which they use it.

Neither NESO nor any Directors or employees of any such company shall be liable for any error or misstatement or opinion on which the recipient of this document relies or seeks to rely other than fraudulent misstatement or fraudulent misrepresentation and does not accept any responsibility for any use which is made of the information or the document or (to the extent permitted by law) for any damages or losses incurred.

In the event of any conflict or inconsistency between this document and the relevant CfD Allocation Round Framework or the Contract for Difference (Allocation) Regulations, the latter documents take precedence. Capitalised terms used in this document shall have the same meanings given in the Contracts for Difference Framework.

No part of this document may be reproduced in any material form (including photocopying and restoring in any medium or electronic means and whether or not transiently or incidentally) without the written permission of NESO.

Copyright National Energy System Operator Limited 2025, all rights reserved.

