

July 2026

Non-Qualification Appeal (Tier 2) Submission Guidance

CfD Allocation Round 8

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Please be advised that, due to frequent updates and changes to the Contract Allocation Framework each year, AI tools may produce inaccurate summaries of documents. To ensure accuracy and avoid potential misinterpretation, it is recommended to read all material including the Allocation Regulations, Contract Allocation Framework and guidance thoroughly.

1. Overview

1.1 Purpose

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, following submission of the actual appeal to the Authority (Ofgem).

1.2 Considerations

This document is accurate at the time of publishing and is based on the information provided in the [Contract Allocation Framework](#) and currently published [AR8 indicative timeline](#). This guidance is to be used in conjunction with the Authority's produced guidance.

1.3 Scope

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

- Regulation 20 of The Contracts for Difference (Allocation) Regulations 2014 (as amended).
- Regulation 43 of The Contracts for Difference (Allocation) Regulations 2014 (as amended).

2.2 Applicable Contract Allocation Framework Rules

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- Rule 8, Non-Qualification Reviews and Qualification Appeals

3. The Authority's Guidance

The disputes process concerning non-qualification determinations, qualification appeals, is managed by the Authority.

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

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

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

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

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

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.

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4.6 Key Dates for AR8 – based on Indicative Timeline as accessed Monday 6th July

Allocation Round Stage	Date(s)
Applicants notified of outcome of non-qualification review (a “Non-Qualification Review Notice”)	07 October 2026
Window for non-qualifying applicants to request a Qualification Appeal (Tier 2 appeal)	8 – 14 October 2026
Non-qualifying Applicants notified of the outcome of Qualification Appeal (Determinations of the Authority)	18 November 2026* *This is an indicative date and could be 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

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

- (a) 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;
- (b) a summary of the grounds for disputing the Delivery Body’s decision;
- (c) a succinct presentation of the arguments supporting each of the grounds for dispute;
- (d) a schedule listing the documents submitted with the request for a non-qualification review

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

- (a) the non-qualification determination;
- (b) the non-qualification review decision notice;
- (c) any information or evidence submitted to the Delivery Body to support the non-qualification review by the Delivery Body;
- (d) 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;

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- (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

The **Main Admin** or **Deputy Main Admin** ('user') logs into the EMR Delivery Body Portal.

The user should select the **Contracts for Difference** then **Reviews and Appeals** from the menu on the left-hand side of the portal.

The user should now select **Provide Copy of Appeal** and then from the menu select the applicable application and select **Create**.

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 2026.

In the EMR Delivery Body Portal, the user should click on **Contracts for Difference** then **Reviews and Appeals**.

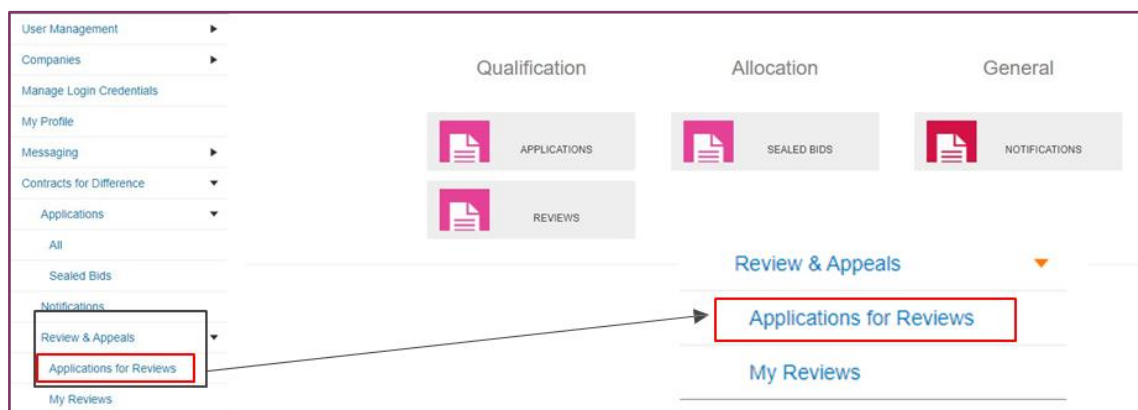


Figure 1 – EMR Delivery Body Portal homepage

6.2.1 The applications that have a non-qualifying after review status will now be visible

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for the user to submit a copy of the appeal.

The user 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-2026-06-5390	AR8_Test_Company_02	GH-AR8-Test-Round-4	Pot 29	Non Qualifying Applicant after Review	Display Result Letter Provide Copy of Appeal
CFD-2026-06-7905	AR8_Test_Company_02	GH-AR8-Test-Round-4	Pot 29	Non Qualifying Applicant after Review	Display Result Letter Provide Copy of Appeal

Figure 2: Applicant view to provide copy of appeal

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

Provide Copy of Appeal

Application: CFD-2026-06-5390

Date: 17/06/2026 09:07:18

Attachments:

[Add file](#)

Choose File

No file chosen

Remove

Submit

Cancel

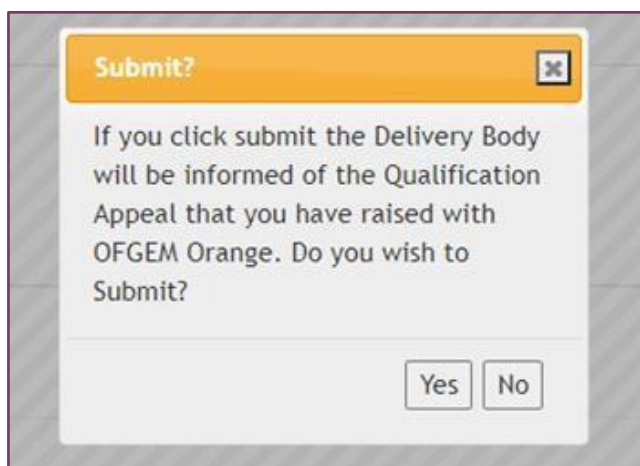
Figure 3: Applicant screen to provide the copy of the Appeal

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).

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Once the user has confirmed the correct attachments have been provided, select submit. The EMR Portal will display a confirmation screen, select **Yes** to submit.



WARNING: 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

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.

Once confirmed the status of the application will change to **Qualification Appeal Submitted** and the Appeal Raised column will display as **Yes**.

Application ID ▼	Company ▼	Round ▼	Pot ▼	Review Status ▼	Appeal Raised ▼	
CFD-2026-06-5390	AR8_Test_Company_02	GH-AR8-Test-Round-4	Pot 29	Qualification Appeal Submitted	Yes	Display Result Letter View Copy of Appeal

Figure 5: EMR Portal – Confirmation of Appeal Raised

If required, and based on the AR8 Indicative timeline, the deadline to provide the copy of the appeal on the CfD Portal is by 5pm, 14 October 2026.

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. AR8 Timeline

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.

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