

Workgroup Terms of Reference and Membership

TERMS OF REFERENCE FOR CMP272

CMP272 seeks to implement the licence changes to the CUSC arising from Ofgem's Code Governance Review (Phase 3).

Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modifications Panel in the evaluation of CUSC Modification Proposal **CMP272** tabled by National Grid at the Modifications Panel meeting on 14 December 2016.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives. These can be summarised as follows:

Standard Applicable Objectives

- (a) The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission License;
 - (b) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity;
 - (c) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency; and
 - (d) Promoting efficiency in the implementation and administration of the system charging methodology.
3. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

Scope of work

4. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
5. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.
6. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation

and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives, as compared with the Modification Proposal or the current version of the CUSC. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.

7. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.
8. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.
9. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be for a period of **10 working days** as determined by the Modifications Panel.
10. Following the Consultation period the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an assessment of any WG Consultation Alternative Request, the Workgroup should consider whether it better facilitates the Applicable CUSC Objectives than the current version of the CUSC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairman has exercised his right under the CUSC to progress a WG Consultation Alternative Request or a WACM against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairman is employed by the same organisation who submitted the WG Consultation Alternative Request.

11. The Workgroup is to submit its final report to the Modifications Panel Secretary on **10 February 2017** for circulation to Panel Members. The final report conclusions will be presented to the CUSC Modifications Panel meeting on **17 February 2017**.

Membership

12. It is recommended that the Workgroup has the following members:

Role	Name	Representing
Chairman	Nick Pittarello	National Grid
National Representative Proposer	Caroline Wright	National Grid
Industry Representatives	Garth Graham	SSE

Industry Representatives	James Anderson	Scottish Power
Authority Representatives	Nadir Hafeez	OFGEM
Technical secretary	Taran Heir	National Grid

NB: A Workgroup must comprise at least 4 members (who may be Panel Members). The roles identified with an asterisk in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

13. The chairman of the Workgroup and the Modifications Panel Chairman must agree a number that will be quorum for each Workgroup meeting. The agreed figure for CMP272 is that at least FOUR Workgroup members must participate in a meeting for quorum to be met. On 5 January 2017 the CUSC Panel agreed to reduce the number of members to THREE due to no nominations being received.
14. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference). The Workgroup chairman shall not have a vote, casting or otherwise]. There may be up to three rounds of voting, as follows:
- Vote 1: whether each proposal better facilitates the Applicable CUSC Objectives;
 - Vote 2: where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal;
 - Vote 3: which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC baseline as an option.
- The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.
15. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairman at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.
16. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.
17. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.

18. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.

Appendix 1

Proposed CMP272 Timetable

07 December 2016	CUSC Modification Proposal submitted
14 December 2016	CUSC Modification tabled at Panel meeting
19 December 2016	Panel's view on urgency submitted to Ofgem for consultation
19 December 2016	Request for Workgroup members (5 Working days)
06 January 2017	Workgroup meeting 1
10 January 2017	Workgroup Consultation issued (10 Working Days)
24 January 2017	Deadline for responses
27 January 2017	Workgroup meeting 2 (WG review Consultation Reponses) and agree options for WACMs and Voting)
03 February 2017	Workgroup report issued to CUSC Panel
10 February 2017	Special CUSC Panel meeting to discuss Workgroup Report

10 February 2017	Code Administrator Consultation issued (5 Working days)
17 February 2017	Deadline for responses
17 February 2017	Draft FMR published for industry comment (2 Working days)
21 February 2017	Deadline for comments
21 February 2017	Draft FMR circulated to Panel
24 February 2017	CUSC Panel Recommendation vote
24 February 2017	FMR circulated for Panel comment (2 Working days)
28 February 2017	Deadline for Panel comment
28 February 2017	Final report sent to Authority for decision
07 March 2017	Indicative Authority Decision due (5 Working days)
14 March 2017	Implementation date (5 Working days later)