



AMENDMENT REPORT

CUSC Proposed Amendment CAP129

Removal of CUSC 6.17 and section B from Exhibit F

The purpose of this report is to assist the Authority in their decision of whether to implement Amendment Proposal CAP129

Amendment Ref	CAP129
Issue	1.0
Date of Issue	6 th December 2006
Prepared by	National Grid

I DOCUMENT CONTROL**a National Grid Document Control**

Version	Date	Author	Change Reference
0.1	8/11/2006	National Grid	Draft for Industry comment
0.2	17/11/2006	National Grid	Draft for Amendments Panel Recommendation Vote
0.3	28/11/06	National Grid	Draft for Amendments Panel Members comment
1.0	06/12/06	National Grid	Formal version for submission to the Authority

b Document Location

National Grid Website:

www.nationalgrid.com/uk/Electricity/Codes/

c Distribution

Name	Organisation
The Gas and Electricity Markets Authority	Ofgem
CUSC Parties	Various
Panel Members	Various
National Grid Industry Information Website	

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1.0 SUMMARY AND RECOMMENDATIONS

Executive Summary

- 1.1 CAP129 Removal of Section B from Exhibit F and 6.17 was proposed by National Grid and submitted to the Amendments Panel on 29th September 2006.
- 1.2 CUSC 6.17 requests data under the Grid Code from Users from the Transfer Date and Section B within Exhibit F requests Data under Paragraph 6.17. However, this was only relevant to Users who were parties to the MCUSA at the Transfer Date of March 1990 and is therefore not relevant to new applicants. Consequently this is causing confusion and National Grid believes it would be more efficient to remove the redundant provisions.

National Grid Recommendation

- 1.3 National Grid, as the proposer of CAP129 is supportive of the Amendment Proposal, believing that it would better facilitate achievement of applicable CUSC Objective (a) and should be implemented 10 Business Days after the Authority decision.

Amendment Panel Recommendation

- 1.4 The CUSC Amendments Panel Recommendation Vote on CAP129 was conducted at the Panel Meeting on 24th November 2006. The Panel unanimously recommends that CAP129 would better facilitate achievement of Applicable CUSC Objective (a) and (b) on the grounds of it aiding effective competition.

2.0 PURPOSE AND INTRODUCTION

- 2.1 This Amendment Report has been prepared and issued by National Grid under the rules and procedures specified in the Connection and Use of System Code (CUSC) as designated by the Secretary of State.
- 2.2 Further to the submission of Amendment Proposal CAP129 (see Annex 2) and the subsequent wider industry consultation that was undertaken by National Grid, this document is addressed and furnished to the Gas and Electricity Markets Authority ("the Authority") in order to assist them in their decision whether to implement Amendment Proposal CAP129.
- 2.3 CAP129 was proposed by National Grid and submitted to the CUSC Amendments Panel for consideration at their meeting on 29th September 2006. The Amendments Panel determined that CAP129 was appropriate to proceed to wider industry consultation by National Grid.
- 2.4 This document outlines the nature of the CUSC changes that are proposed. It incorporates National Grid's recommendations to the Authority concerning the Amendment. Copies of all representations received in response to the consultation have also been included and a 'summary' of the representations received is also provided. Copies of each of the responses to the consultation are included as Annex 3 to this document.
- 2.5 This Amendment Report has been prepared in accordance with the terms of the CUSC. An electronic copy can be found on the National Grid website, at www.nationalgrid.com/uk/Electricity/Codes/.

3.0 PROPOSED AMENDMENT

- 3.1 CAP129 proposes to delete CUSC 6.17 and Section B from Exhibit F.
- 3.2 CUSC 6.17 requests data under the Grid Code from Users from the Transfer Date and Section B within Exhibit F requests Data under Paragraph 6.17. However, this was only relevant to Users who were parties to the MCUSA at the Transfer Date of March 1990 and is therefore not relevant to new applicants.
- 3.3 Consequently, this is causing confusion when new applicants apply to National Grid via the form within Exhibit F which creates a delay in the application process. National Grid believes it would be beneficial to remove the redundant provisions from the CUSC.

4.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES

Proposed Amendment

- 4.1 CAP129 would better facilitate the CUSC Objective;
- (a) the efficient discharge by the Licensee of the obligations imposed upon it by the act and the Transmission Licence; and*
- 4.2 National Grid believes that CAP129 would remove redundant clauses and the potential for confusion when new applicants apply to National Grid for Use of System agreements under Exhibit F, therefore removing inefficiencies and delays within the application process and better facilitate the achievement of applicable objective (a).

5.0 PROPOSED IMPLEMENTATION

- 5.1 National Grid proposes CAP129 should be implemented 10 Business Days after an Authority decision. In accordance with paragraph 8.19.3(b) of the CUSC, views were invited on this proposed implementation date.
- 5.2 No respondents to the CAP129 consultation expressed a view on the proposed implementation date. There is therefore, no disparity between the view of the Industry and that of National Grid.

6.0 IMPACT ON THE CUSC

- 6.1 CAP129 requires amendments to Section 6.17 and section B from Exhibit F of the CUSC.
- 6.2 The text required to give effect to the Proposal is contained in Annex 1 of this document.

7.0 IMPACT ON CUSC PARTIES

- 7.1 CAP129 will increase efficiency by removing potential for confusion when making an application, which will impact CUSC Parties.

8.0 IMPACT ON INDUSTRY DOCUMENTS**Impact on Core Industry Documents**

8.1 CAP129 has no impact upon Core Industry Documents.

Impact on other Industry Documents

8.2 CAP129 has no impact upon other Industry Documents .

9.0 IMPACT ON INDUSTRY COMPUTER SYSTEMS OR PROCESSES

9.1 CAP129 has no impact upon on Industry Computer Systems or Processes.

10.0 VIEWS AND REPRESENTATIONS

10.1 This Section contains a summary of the views and representations made by consultees during the consultation period in respect of the Proposed Amendment

Views of Panel Members

10.2 No views or representations were made by Panel Members in their capacity as Panel Members during the Consultation.

View of Core Industry Document Owners

10.3 No views or representations were made by Core Industry Document Owners

Responses to Consultation

10.4 The following table provides an overview of the representations received. Copies of the representations are attached as Annex 3.

Reference	Company	Supportive	Comments
CAP129-CR-01	Scottish and Southern Energy plc, for and on behalf of Southern Electric, Keadby Generation Ltd, Medway Power Ltd and SSE Energy Supply Ltd	YES	Scottish and Southern believes CAP129 does better achieve the applicable CUSC objectives and should therefore be implemented
CAP129-CR-02	SAIC Ltd. For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and CRE Energy Ltd.	YES	SAIC Ltd believes CAP129 will aid clarity and understanding of the CUSC through the removal of redundant clauses, thus helping to better achieve the applicable CUSC objectives.
CAP129-CR-03	Centrica	Yes	Centrica believes that CAP129 would improve CUSC objectives.

11.0 AMENDMENT PANEL RECOMMENDATION

11.1 The CUSC Amendments Panel Recommendation Vote on CAP129 was conducted at the Panel Meeting on 24th November 2006. The Panel unanimously recommends that CAP129 would better facilitate achievement of Applicable CUSC Objective (a) and (b) on the grounds of it aiding effective competition.

12.0 NATIONAL GRID RECOMMENDATION

12.1 National Grid believes that CAP129 would better facilitate CUSC Applicable Objective (a), as it will remove redundant provisions and would prevent delays in the application process and confusion for new applicants applying to National Grid.

13.0 COMMENTS ON DRAFT AMENDMENT REPORT

13.1 National Grid received 1 response following the publication of the draft Amendment Report. The following table provides an overview of each representation. Copies of the representations are attached as Annex 4.

Reference	Company	Summary of Comments
CAP129-AR-01	Scottish and Southern Energy plc, for and on behalf of Southern Electric, Keadby Generation Ltd, Medway Power Ltd and SSE Energy Supply Ltd	One comment was received and the Amendment Report has been updated to reflect this comment. The table after 10.4 (page 5) does not include a reference to Centrica's response, even though they did respond (see page 14), therefore a summary of their response needs to be included.

ANNEX 1 – PROPOSED LEGAL TEXT TO MODIFY THE CUSC

Text to give effect to the Proposed Amendment

The CUSC will require the deletion of 6.17 and the deletion of Section B of Exhibit F. The proposed Legal text to modify the CUSC is detailed below by deleting the coloured struck through text.

6.17 ~~PROVISION OF DATA~~ Not used

~~The majority of the data required under the **Grid Code** has been supplied by the **User** prior to the **Transfer Date**. However, in respect of the following data required under the **Planning Code** of the **Grid Code** it is agreed that each **User** who was a party to the **MCUSA** at the **Transfer Date** need only supply it under the **Grid Code** within one year of the **Transfer Date**, unless **The Company** requests it in writing before the expiry of that period, in which case the **User** from whom the data is requested must supply it within six weeks of receiving that request, except in the case of the data referred to in PCA 5.3.1(g) which need only be supplied within three months of receiving that request. The data to which this clause applies is that referred to in the following paragraphs of the **Planning Code**:~~

~~PCA 2.3~~

~~PCA 4.3.7~~

~~PCA 4.3.9~~

~~PCA 5.2.1~~

~~PCA 5.2.2~~

~~PCA 5.3.1(g)~~

~~**The Company** shall also be able to request a **User** in writing at any time to supply to **The Company** any data under the **Planning Code** which it should have supplied to **The Company** prior to the **Transfer Date** but which it did not supply, and the **User** must supply that data upon receiving that request. This Paragraph 6.17 shall not apply to a **User** acting as a **Supplier** of a **Non-Embedded Customer**.~~

EXHIBIT F

5 If **Applicant** is an agent, please give name(s) and address(es) of person(s) for whom the **Applicant** is acting:

.....
.....
.....

~~Please study the notes before completing and signing this application form~~

~~B DATA REQUIREMENTS~~

~~Please provide the **Data** required under Paragraph [6.17] of the **CUSC** as appropriate upon which our terms of **Offer** of use of system will be based.~~

.....
.....

ANNEX 2 – AMENDMENT PROPOSAL FORM

CUSC Amendment Proposal Form	CAP:129
<p><i>Title of Amendment Proposal:</i></p> <p>Removal of CUSC 6.17 and section B from Exhibit F</p>	
<p><i>Description of the Proposed Amendment (mandatory by proposer):</i></p> <p>It is proposed to remove CUSC 6.17 and Section B from Exhibit F of the CUSC for Use of System Applications (Suppliers or Interconnector Users), as the provisions are no longer required, consequently this causes confusion for new applicants.</p>	
<p><i>Description of Issue or Defect that Proposed Amendment seeks to Address (mandatory by proposer):</i></p> <p>CUSC 6.17 requests data under the Grid Code from Users from the Transfer Date and Section B within Exhibit F requests Data under Paragraph 6.17. However this was only relevant to Users who were parties to the MCUSA at the Transfer Date of March 1990 and is therefore not relevant to new applicants.</p> <p>Consequently, this is causing confusion when new applicants apply to National Grid via the form within Exhibit F which creates delays in the application process. We believe it would be beneficial to remove the redundant provisions from the CUSC.</p>	
<p>Impact on the CUSC (this should be given where possible):</p> <p>The CUSC will require the deletion of 6.17 and the deletion of Section B of Exhibit F. The proposed Legal text to modify the CUSC is detailed below by deleting the coloured struck through text.</p> <p>6.17 PROVISION OF DATA Not used</p> <p>The majority of the data required under the Grid Code has been supplied by the User prior to the Transfer Date. However, in respect of the following data required under the Planning Code of the Grid Code it is agreed that each User who was a party to the MCUSA at the Transfer Date need only supply it under the Grid Code within one year of the Transfer Date, unless The Company requests it in writing before the expiry of that period, in which case the User from whom the data is requested must supply it within six weeks of receiving that request, except in the case of the data referred to in PCA 5.3.1(g) which need only be supplied within three months of receiving that request. The data to which this clause applies is that referred to in the following paragraphs of the Planning Code:</p> <ul style="list-style-type: none"> PCA 2.3 PCA 4.3.7 PCA 4.3.9 PCA 5.2.1 PCA 5.2.2 PCA 5.3.1(g) <p>The Company shall also be able to request a User in writing at any time to supply to The</p>	

~~Company any data under the Planning Code which it should have supplied to The Company prior to the Transfer Date but which it did not supply, and the User must supply that data upon receiving that request. This Paragraph 6.17 shall not apply to a User acting as a Supplier of a Non-Embedded Customer.~~

EXHIBIT F

5 If **Applicant** is an agent, please give name(s) and address(es) of person(s) for whom the **Applicant** is acting:

.....
.....
.....

~~Please study the notes before completing and signing this application form~~

~~**B — DATA REQUIREMENTS**~~

~~Please provide the Data required under Paragraph [6.17] of the CUSC as appropriate upon which our terms of Offer of use of system will be based.~~

.....
.....
.....

Impact on Core Industry Documentation (this should be given where possible):
None anticipated

Impact on Computer Systems and Processes used by CUSC Parties (this should be given where possible):
None anticipated

Details of any Related Modifications to Other Industry Codes (where known):
N/A

Justification for Proposed Amendment with Reference to Applicable CUSC Objectives** (mandatory by proposer):

National Grid believes that this proposal will better facilitate CUSC Applicable Objective (a) (The efficient discharge by the licensee of the obligations imposed upon it under the Act and by the Transmission Licence). **The removal of the redundant clauses within the CUSC will prevent confusion when new applicants apply to National Grid for Use of System agreements under Exhibit F, consequently removing inefficiencies and delays within the application process.**

Details of Proposer:
Organisation's Name: National Grid

Capacity in which the Amendment is being proposed: (i.e. CUSC Party, BSC Party or "energywatch")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Andrew Truswell National Grid 01926 656388 Andrew.truswell@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Emma Carr National Grid 01926 655843 Emma.j.carr@uk.ngrid.com
Attachments (Yes/No): If Yes, Title and No. of pages of each Attachment:	
No	

Notes:

1. Those wishing to propose an Amendment to the CUSC should do so by filling in this "Amendment Proposal Form" that is based on the provisions contained in Section 8.15 of the CUSC. The form seeks to ascertain details about the Amendment Proposal so that the Amendments Panel can determine more clearly whether the proposal should be considered by a Working Group or go straight to wider National Grid Consultation.
2. The Panel Secretary will check that the form has been completed, in accordance with the requirements of the CUSC, prior to submitting it to the Panel. If the Panel Secretary accepts the Amendment Proposal form as complete, then he will write back to the Proposer informing him of the reference number for the Amendment Proposal and the date on which the Proposal will be considered by the Panel. If, in the opinion of the Panel Secretary, the form fails to provide the information required in the CUSC, then he may reject the Proposal. The Panel Secretary will inform the Proposer of the rejection and report the matter to the Panel at their next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform the Proposer.

The completed form should be returned to:

Beverley Viney
Panel Secretary
Commercial Frameworks
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Or via e-mail to: Beverley.Viney@uk.ngrid.com

(Participants submitting this form by email will need to send a statement to the effect that the proposer acknowledges that on acceptance of the proposal for consideration by the Amendments Panel, a proposer which is not a CUSC Party shall grant a licence in accordance with Paragraph 8.15.7 of the CUSC. A Proposer that is a CUSC Party shall be deemed to have granted this Licence).

3. Applicable CUSC Objectives** - These are defined within the National Grid Company Transmission Licence under Section C7F, paragraph 15. Reference should be made to this section when considering a proposed amendment.

ANNEX 3 – REPRESENTATIONS RECEIVED DURING CONSULTATION

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 6th October 2006, requesting comments by close of business on 3rd November 2006).

Representations were received from the following parties:

No.	Company	File Number
1	Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., SSE Generation Limited. and SSE Energy Supply Ltd.	CAP129-CR-01
2	SAIC Ltd. For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and CRE Energy Ltd.	CAP129-CR-02
3	Centrica	CAP129-CR-03

Reference	CAP129-CR-01
Company	Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., SSE Generation Limited. and SSE Energy Supply Ltd.

Dear Sirs,

This response is sent on behalf of Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., and SSE Energy Supply Ltd.

In relation to the consultation concerning the report associated with CUSC Amendment Proposal CAP 129 "Removal of Section B [of the CUSC] from Exhibit F and 6.17" (contained within your note of 6th October 2006) we believe that this CUSC Amendment Proposal CAP129 does better achieve the applicable CUSC objectives and should therefore be implemented.

Regards

Garth Graham
Scottish and Southern Energy plc

Reference	CAP129-CR-02
Company	SAIC Ltd. For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and CRE Energy Ltd.



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Ref CAP129
Date 2nd November 2006

Tel No. 01355 845208
Email: ukelectricityspoc@saic.com

Dear Beverley,

CUSC Amendment Proposal CAP129, Removal of Section B from Exhibit F and amend 6.17

Thank you for the opportunity to comment on the Consultation for CUSC Amendment Proposal CAP129 regarding the removal of redundant clauses from within the CUSC. This response is submitted on behalf of ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and CRE Energy Ltd.

In reviewing this Proposal, we have noted that this change will aid clarity and understanding of the CUSC through the removal of redundant clauses, thus helping to better achieve the applicable CUSC objectives. As such, we support this change.

Yours sincerely

Gary Henderson

SAIC Ltd.
For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and CRE Energy Ltd.

Reference	CAP129-CR-03
Company	Centrica



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Centrica Energy

Millstream East,
Maidenhead Road,
Windsor,
Berkshire SL4 5GD

Tel. (01753) 431000
Fax (01753) 431150
www.centrica.com

Our Ref.
Your Ref.
03 November 2006

Dear Beverley,

CUSC Amendment Proposal P129 – Consultation Response

Centrica welcomes the opportunity to comment on this Amendment Proposal.

We agree that CAP129 would be an improvement to the current CUSC baseline, in that it would remove redundant text and thereby improve clarity. This would be an improvement under CUSC Objective (a).

If you have any queries in relation to this response, please do not hesitate to contact me.

Best regards,

Dave Wilkerson
Centrica Energy

T: 01753 431157
M: 07789 572724
E: dave.wilkerson@centrica.co.uk

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ANNEX 4 – REPRESENTATIONS RECEIVED UPON THE DRAFT AMENDMENT REPORT

This Annex includes copies of any representations received following circulation of the Draft Amendment Report (circulated on 8th November 2006, requesting comments by close of business on 15th November 2206).

Representations were received from the following parties:

No.	Company	File Number
1	Scottish and Southern Energy plc, for and on behalf of Southern Electric, Keadby Generation Ltd, Medway Power Ltd and SSE Energy Supply Ltd	CAP129-AR-01

Reference	CAP129-AR-1
Company	Scottish and Southern Energy plc, for and on behalf of Southern Electric, Keadby Generation Ltd, Medway Power Ltd and SSE Energy Supply Ltd

Beverley,

Reference the CAP125 report two matters.

The first is a typo in the fifth line of the 'Centrica' comments column "relating ti" - should it be "relating to"?

The second is more substantial. Would it be possible to include my comments along the lines of revising the start of what's in the comments column - "Based on the assumption that the change is 'future proof' and takes account of the other existing Interconnectors Scottish and Southern believe...."

Reference the CAP 129 report I notice that the table after 10.4 (page 5) does not include Centrica even though they did respond (see page 14). Their view is in accordance with that of ourselves and SP (so there is no material change to the conclusion/recommendation).

I'm happy with the CAP130 report.

Regards

Garth