



CONSULTATION DOCUMENT VOLUME 1

CUSC Amendment Proposal CAP178

Amendment to the process for the approval of CUSC Amendments Panel meeting minutes when a CUSC Amendments Panel meeting has been cancelled

*The purpose of this document is to
consult on Amendment Proposal CAP178
with CUSC Parties and other interested
Industry members*

Amendment Ref	CAP178
Issue	V1.0
Date of Issue	03 November 2009
Prepared by	National Grid

a National Grid Document Control

Version	Date	Author	Change Reference
1.0	03/11/09	National Grid	Report for Industry Consultation

b Distribution

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

II CONTENTS TABLE

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1.0 SUMMARY AND RECOMMENDATIONS3

2.0 PURPOSE AND INTRODUCTION3

3.0 PROPOSED AMENDMENT4

4.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES4

5.0 PROPOSED IMPLEMENTATION4

6.0 IMPACT ON THE CUSC.....4

7.0 IMPACT ON INDUSTRY DOCUMENTS5

8.0 NATIONAL GRID VIEW5

9.0 VIEWS INVITED.....5

ANNEX 1 – PROPOSED LEGAL TEXT TO MODIFY THE CUSC.....6

1.0 SUMMARY AND RECOMMENDATIONS

Executive Summary

- 1.1 CAP178 – Amendment to the process for the approval of CUSC Amendments Panel meeting minutes when a CUSC Amendments Panel meeting has been cancelled proposes to amend section 8.8 of the CUSC. It proposes to amend the governance process for the approval of CUSC Amendments Panel meeting minutes if a CUSC Amendments Panel meeting is cancelled.

Amendment Panel's View

- 1.2 The Amendments Panel agreed that CAP178 should proceed to a wider consultation by National Grid for a period of 5 Business Days.

National Grid's View

- 1.3 CAP178 will improve the process for approving CUSC Amendments Panel meeting minutes for both National Grid and the CUSC Amendments Panel. It will also achieve an improvement to the transparency of CUSC Amendments Panel proceedings. National Grid believes that this will help better facilitate Applicable Objective (a) the efficient discharge by the licensee of the obligations imposed upon it under the Act and by this licence, by helping to eliminate any unnecessary delay in the publication of the minutes to CUSC Parties and also achieve an improvement to the transparency of CUSC Amendments Panel proceedings.

2.0 PURPOSE AND INTRODUCTION

- 2.1 This is a consultation document 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 CAP178, this document seeks views from industry members relating to the Amendment Proposal.
- 2.3 CAP178 was proposed by National Grid and submitted to the CUSC Amendments Panel for consideration at their meeting on 30 October 2009. The Amendments Panel determined that CAP178 was appropriate to proceed to wider industry consultation by National Grid.
- 2.4 Representations received in response to this consultation document will be included in National Grid's Amendment Report Volume 2 that will be furnished to the Authority for their decision.
- 2.5 This consultation document 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/. This document invites views upon CAP178 to cusc.team@uk.ngrid.com and the **closing date for responses is 5pm on Wednesday, 11 November 2009.**

3.0 PROPOSED AMENDMENT

- 3.1 CAP178 seeks to amend the governance process for the approval of CUSC Amendments Panel meeting minutes if a CUSC Amendments Panel meeting is cancelled.
- 3.2 Currently under Section 8.8.4 of the CUSC, if a CUSC Amendments Panel meeting is cancelled the approval of the CUSC Amendments Panel meeting minutes from the previous month is then delayed until the next scheduled CUSC Amendments Panel meeting. This causes publication of the CUSC Amendments Panel meeting minutes to be delayed.
- 3.3 CAP178 will allow the draft minutes relating to the previous CUSC Amendments Panel meeting (including any proposed changes from Panel Members already received) to be circulated to the Panel Members at the same time as the meeting cancellation notice is issued, providing a second opportunity for Panel Members to suggest any amendments to the minutes or to confirm their approval.
- 3.4 Any suggested amendments and/or approval shall be confirmed (via email) within 5 Business Days of the circulation of the minutes. If approved without further amendment, the minutes will be published on the National Grid website. If no suggested amendments are received from the CUSC Panel Members within five Business Days the minutes will be deemed to be approved. If further amendments are suggested, the draft minutes will remain unapproved until the next CUSC Amendments Panel meeting.

4.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES

Proposed Amendment

- 4.1 CAP178 would better facilitate the Applicable CUSC Objective:
- (a) *the efficient discharge by the Licensee of the obligations imposed upon it by the act and the Transmission Licence;*
- by helping to eliminate any unnecessary delay in the publication of the minutes to CUSC Parties, and also achieve an improvement to the transparency of CUSC Panel proceedings.

5.0 PROPOSED IMPLEMENTATION

- 5.1 National Grid proposes CAP178 should be implemented 10 Business Days after an Authority decision.

6.0 IMPACT ON THE CUSC

- 6.1 CAP178 requires amendments to section 8.8 of the CUSC.
- 6.2 The text required to give effect to CAP178 is contained Annex 1 of this document.

7.0 IMPACT ON INDUSTRY DOCUMENTS

Impact on Core Industry Documents

7.1 CAP178 has no impact on core Industry Documentation.

Impact on other Industry Documents

7.2 CAP178 has no impact upon other Industry Documents.

8.0 NATIONAL GRID VIEW

8.1 National Grid, as the proposer of CAP178 is supportive of the Amendment Proposal, believing that it would better facilitate achievement of the Applicable CUSC Objective (a). National Grid considers that CAP178 will eliminate any unnecessary delay in the publication of the minutes to CUSC Parties and also achieve an improvement to the transparency of CUSC Amendments Panel proceedings.

9.0 VIEWS INVITED

9.1 National Grid is seeking the views of interested parties in relation to the issues raised by Amendment Proposal CAP178 and issues arising from the proposed timescale for implementation of CAP178.

9.2 At the CUSC Amendments Panel meeting on 30 October 2009 Panel Members acknowledged the triviality of CAP178. It was suggested that Amendment Proposals of this nature may be able to be implemented through the 'consent to modify' process under National Grid's Electricity Transmission Licence Condition C10, paragraph (7) (c) (ii) as detailed below:

"The licensee shall only modify the CUSC... with the consent of the Authority, and it shall not have the power to modify the CUSC in any other circumstance; and the licensee shall furnish the Authority with a copy of the modification made"

9.3 In responding to this consultation, industry participants are asked to provide a view on progressing any future minor changes of this nature through the 'consent to modify' process.

9.4 Please send your responses to this consultation to National Grid by no later than **5pm on 11 November 2009**.

9.5 Please address all comments to the following e-mail address:
Cusc.Team@uk.ngrid.com

ANNEX 1 – PROPOSED LEGAL TEXT TO MODIFY THE CUSC

The proposed legal text to modify the CUSC is detailed below by inserting the coloured, underlined text and deleting the coloured, struck through text.

PROCEEDINGS AT MEETINGS

- 8.8.1 Subject as provided in the **CUSC**, the **Amendments Panel** may regulate the conduct of and adjourn and reconvene its meetings as it sees fit.
- 8.8.2 Meetings of the **Amendments Panel** shall be open to attendance by a representative of any **CUSC Party**, any **BSC Party** or the **National Consumer Council** and any person invited by the **Panel Chairman** and/or any other **Panel Member**.
- 8.8.3 The **Panel Chairman** and any other **Panel Member** may invite any person invited by them under Paragraph 8.8.2, and/or any attending representative of a **CUSC Party**, to speak at the meeting (but such person shall have no vote).
- 8.8.4 As soon as practicable after each meeting of the **Amendments Panel**, the **Panel Secretary** shall prepare and send (by electronic mail or otherwise) to **Panel Members** the minutes of such meeting, which shall be (subject to Paragraph 8.8.5) approved (or amended and approved) at the next meeting of the **Amendments Panel** after they were so sent, and when approved (excluding any matter which the **Amendments Panel** decided was not appropriate for such publication) shall be placed on **The Company Website**.
- 8.8.5 If, following the circulation of minutes (as referred to in Paragraph 8.8.4), the meeting of the **Amendments Panel** at which they were to be approved is cancelled pursuant to Paragraph 8.7.2, such minutes (including any proposed changes thereto which have already been received) shall be re-circulated with the notification of the cancellation of the meeting of the **Amendments Panel**. **Panel Members** shall confirm their approval of such minutes to the **Panel Secretary** (by electronic mail) no later than **5 Business Days** following such minutes being re-circulated. If no suggested amendments are received within such **5 Business Days** period, the minutes will be deemed to have been approved. If the minutes are approved, or deemed to have been approved, (excluding any matter which the **Amendments Panel** decided was not appropriate for such publication) they shall be placed on **The Company Website**. If suggested amendments are received within such **5 Business Days** period, the minutes shall remain unapproved and the process for approval (or amendment and approval) of such minutes at the next meeting of the **Amendments Panel**, as described in Paragraph 8.8.4, shall be followed.

ANNEX 2 – AMENDMENT PROPOSAL FORM

CUSC Amendment Proposal Form	CAP:178
Title of Amendment Proposal:	
Amendment to the process for the approval of CUSC Amendments Panel meeting minutes when a CUSC Amendments Panel meeting has been cancelled	
Description of the Proposed Amendment (mandatory by proposer):	
<p>It is proposed to amend the governance process for the approval of CUSC Panel meeting minutes if a CUSC Amendments Panel meeting is cancelled.</p> <p>If a CUSC Amendments Panel meeting is cancelled, the draft minutes relating to the previous CUSC Amendments Panel meeting (including any proposed changes from Panel Members already received) will be circulated to the Panel Members at the same time as the meeting cancellation notice is issued, providing a second opportunity for Panel Members to suggest any amendments to such minutes, or to confirm their approval thereto.</p> <ul style="list-style-type: none"> • Any suggested amendments and/or approval shall be confirmed (via email) within 5 Business Days of the circulation of the minutes. • If approved, the minutes will be published on the National Grid website. • If no suggested amendments are received from CUSC Panel Members within such 5 Business Days period, the minutes will be deemed to have been approved. <p>However, if further suggested amendments are received during such 5 Business Days period, the minutes will remain unapproved and will follow the usual procedure for approval at the next CUSC Amendments Panel meeting.</p>	
Description of Issue or Defect that Proposed Amendment seeks to Address (mandatory by proposer):	
Currently under Section 8.8.4 of the CUSC, if a CUSC Amendments Panel meeting is cancelled the approval of the CUSC Amendments Panel meeting minutes from the previous month are then delayed until the next scheduled CUSC Amendments Panel meeting. This then causes publication of the CUSC Amendments Panel meeting Minutes to be delayed.	
Impact on the CUSC (this should be given where possible):	
Changes would be required to section 8.8. of the CUSC	
Impact on Core Industry Documentation (this should be given where possible):	
There will be no impact on Core Industry Documentation.	
Impact on Computer Systems and Processes used by CUSC Parties:	
There will be no impact on Computer Systems or Processes used by CUSC Parties.	
Details of any Related Modifications to Other Industry Codes (where known):	
Not applicable.	
Justification for Proposed Amendment with Reference to Applicable CUSC Objectives**:	
<p>The Proposed Amendment would better facilitate the achievement of the Applicable CUSC Objective contained within the Transmission Licence, as follows:</p> <p><i>(a) the efficient discharge by the licensee of the obligations imposed upon it under the Act and by this licence; by helping to eliminate any unnecessary delay in the publication of the minutes to CUSC Parties, and also achieve an improvement to the transparency of CUSC Panel proceedings.</i></p>	

Details of Proposer: Organisation's Name:	National Grid Electricity Transmission plc
Capacity in which the Amendment is being proposed: (i.e. CUSC Party, BSC Party or "National Consumer Council")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Bali Virk National Grid Electricity Transmission plc 01926 656379 Bali.virk@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Carole Hook National Grid Electricity Transmission plc 01926 654211 Carole.hook@uk.ngrid.com
Attachments (Yes): If Yes, Title and No. of pages of each Attachment:	
Proposed revised 8.8	

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:

Bali Virk
Commercial
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA
Or via e-mail to: Bali.Virk@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 Electricity Transmission plc Licence under Standard Condition C10, paragraph 1. Reference should be made to this section when considering a proposed amendment.