

Amendment proposal:	Connection and Use of System Code (CUSC): Amendment to the process for the approval of CUSC Amendments Panel meeting minutes when a CUSC Amendments Panel meeting has been cancelled (CAP178)		
Decision:	The Authority ¹ directs that this proposal be made ²		
Target audience:	National Grid Electricity Transmission PLC (NGET), Parties to the CUSC and other interested parties		
Date of publication:	8 January 2010	Implementation Date:	22 January 2010

Background to the amendment proposal

Under section 8.8 of CUSC, minutes of a meeting of the CUSC Amendments Panel (the "Panel") are approved at the next meeting and subsequently published on NGET's website.

Between meetings draft minutes are circulated to the Panel allowing for any proposed amendments to be raised/circulated prior to finalisation at the next meeting. Should a meeting be cancelled, approval of the minutes is carried over to the next meeting, which can lead to delay in provision of information to interested parties.

The amendment proposal

NGET raised CAP178 to expedite approval/publication of minutes. Should a Panel meeting be cancelled, the draft minutes (and any changes received) would be sent to the Panel members with the cancellation notice. Suggested changes, or approval, must be e-mailed to the Panel Secretary within 5 Business Days. If no further changes are suggested by then, the draft minutes will be deemed approved.

Following express or deemed approval, the minutes will be published on NGET's website. By expediting the approval/publication process (which would otherwise be delayed), this will result in more efficient administration of the CUSC and transparency of process, thus furthering Applicable Objective (a) of the CUSC³ (efficient discharge by NGET of its obligations under its licence).

Should further changes be suggested, the minutes will be left for discussion/approval at the next Panel meeting.

CUSC Panel⁴ recommendation

On 27th November 2009, the CUSC AP voted unanimously in favour of CAP178, as better facilitating Applicable Objective (a), as it would improve procedural efficiency.

¹ The terms 'the Authority', 'Ofgem' and 'we' are used interchangeably in this document. Ofgem is the Office of the Gas and Electricity Markets Authority.

² This document is notice of the reasons for this decision as required by section 49A of the Electricity Act 1989.

³ As set out in Standard Condition C10(1) of NGET's Transmission Licence, see:

http://epr.ofgem.gov.uk/document_fetch.php?documentid=5327

⁴ The CUSC Panel is established and constituted from time to time pursuant to and in accordance with the section 8 of the CUSC.

The Authority's decision

The Authority has considered the issues raised by CAP178 and the final Amendment Report ("AR") dated 10th December 2009. The Authority has considered and taken into account the responses to NGET's consultation on CAP178 which are attached to the AR⁵. The Authority has concluded that:

1. implementation of the amendment proposal will better facilitate the achievement of the applicable objectives of the CUSC⁶; and
2. directing that the amendment be made is consistent with the Authority's principal objective and statutory duties⁷.

Reasons for the Authority's decision

We agree expediency and transparency of process will help NGET in fulfilling its licence obligations efficiently in accordance with Applicable CUSC Objective (a). This is the effect of CAP178 expounded by NGET and supported by the single respondent, EDF Energy.

Accordingly, CAP178's introduction of a method to allow earlier approval and publication of minutes where a Panel meeting has been cancelled will, in our view, streamline processes and better facilitate Applicable CUSC Objective (a).

We consider that approval of CAP178 is consistent with our principal objective and wider statutory duties as it involves a more time efficient process.

Decision notice

In accordance with Standard Condition C10 of NGET's Transmission Licence, the Authority, hereby directs that 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"* be made.

Mark Cox
Associate Partner, Industry Codes and Licensing

Signed on behalf of the Authority and authorised for that purpose.

⁵ CUSC amendment proposals, amendment reports and representations can be viewed on NGET's website at <http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/amendments/>

⁶ As set out in Standard Condition C10(1) of NGET's Transmission Licence, see: http://epr.ofgem.gov.uk/document_fetch.php?documentid=5327

⁷The Authority's statutory duties are wider than matters which the Panel must take into consideration and are detailed mainly in the Electricity Act 1989.