

CUSC Amendment Proposal Form	CAP:075
<p><b>Title of Amendment Proposal:</b></p>	
<p>Arrangements for Replacing Resigning Panel Members and Alternates</p>	
<p><b>Description of the Proposed Amendment</b> <i>(mandatory by proposer):</i></p>	
<p>The objective of this amendment is to allow for greater flexibility in the Panel Structure to mitigate the effects of a Panel Member or Alternate Member resigning. The proposal is to amend the existing process for replacing Resigning Panel Members or Resigning Alternate Members as follows:</p> <ul style="list-style-type: none"> <li>• The current requirement for up to five Alternate Members would be modified such that there were <b>at least three</b> and a maximum of <b>ten</b> Alternate Members holding office at any one time.</li> <li>• If a Panel Member then resigns, the Panel Member may nominate their replacement from the pool of existing Alternate Members, thus avoiding the need for an election to replace the Resigning Panel Member. If the Panel Member chooses not to nominate their successor in this way, the Alternate member who had received the highest number of votes in the previous CUSC election would be elected to the Panel.</li> <li>• If an Alternate Member resigns or becomes a Panel Member, then they will not be replaced, provided that the number of Alternate Members remains at three or above. In the event that the number of Alternate Members falls below three through resignation or promotion to Panel membership, the existing election process will be followed to replace the Resigning Alternate Member.</li> </ul>	
<p><b>Description of Issue or Defect that Proposed Amendment seeks to Address</b> <i>(mandatory by proposer):</i></p>	
<p>The existing arrangements governing the constitution of the CUSC Panel can be found in Section 8 and Annex 8A of the CUSC. They state that upon the resignation of an existing Panel Member or Alternate Member who has not less than 6 months of their term of office remaining at the time of resignation, NGC must hold new elections to replace the Resigning Panel Member or Resigning Alternate Member. The election process has the potential to be a lengthy process and inefficient given that only one Panel Member or Alternate Member would be elected through it. It is believed that a more efficient process should be put in place for the replacement of Resigning Panel Members or Resigning Alternative Members.</p>	
<p><b>Impact on the CUSC</b> <i>(this should be given where possible):</i></p>	
<p>Revisions to section 8 and Annex 8A of the CUSC</p>	
<p><b>Impact on Core Industry Documentation</b> <i>(this should be given where possible):</i></p>	
<p>None</p>	
<p><b>Impact on Computer Systems and Processes used by CUSC Parties</b> <i>(this should be given where possible):</i></p>	
<p>None</p>	
<p><b>Details of any Related Modifications to Other Industry Codes</b> <i>(where known):</i></p>	
<p>None</p>	

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

This modification proposes more efficient arrangements to surround the operation of the CUSC Panel. Thus it enables the Transmission Licensee to more efficiently discharge the obligations placed upon it by the Electricity Act and the Transmission Licence. This proposal is therefore consistent with the applicable CUSC objective described by Condition C7F, Paragraph 1 (a) of the Electricity Transmission Licence held by NGC.

<b>Details of Proposer:</b> Organisation's Name:	The National Grid Company plc
<b>Capacity in which the Amendment is being proposed:</b> (i.e. CUSC Party, BSC Party or "energywatch")	CUSC Party
<b>Details of Proposer's Representative:</b> Name: Organisation: Telephone Number: Email Address:	Ben Graff The National Grid Company plc 01926 656312 <a href="mailto:ben.graff@ngtuk.com">ben.graff@ngtuk.com</a>
<b>Details of Representative's Alternate:</b> Name: Organisation: Telephone Number: Email Address:	Mark Duffield The National Grid Company plc 01926 654971 <a href="mailto:mark.duffield@uk.ngrid.com">mark.duffield@uk.ngrid.com</a>
<b>Attachments (Yes/No): Yes</b> <b>If Yes, Title and No. of pages of each Attachment:</b> <b>Indicative Draft Legal Text for Section 8 and Annex 8A (3 pages)</b>	

**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:

Richard Dunn  
Panel Secretary  
Commercial Frameworks  
National Grid Company plc  
NGT House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA  
Or via e-mail to: [CUSC.Team@uk.ngrid.com](mailto:CUSC.Team@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.



- Panel Member** (for the remainder of the term of office of the **Resigning Panel Member**).
- 8A.4.2.2 A **Resigning Panel Member** shall only appoint an **Alternate Member** to be the replacement **Panel Member**. An **Alternate Member** appointed as a **Panel Member** subject to Paragraph 8A.4.2.1 shall be deemed to be a **Resigning Alternate Member** and Paragraph 8A.4.2.4 shall apply.
- 8A.4.2.3 Should a **Resigning Panel Member** not appoint a replacement **Panel Member** in accordance with 8A.4.2.1 then the **Alternate Member** who received the highest cumulative number of **Preference Votes** which were counted (under the first or second or third voting round or further round under Paragraph 8A.3.6, as the case may be) will be appointed as the replacement **Panel Member**. An **Alternate Member** appointed as a **Panel Member** subject to Paragraph 8A.4.2.3 shall be deemed to be a **Resigning Alternate Member** and Paragraph 8A.4.2.4 shall apply.
- 8A.4.2.4 (Subject to Paragraph 8A.4.2.5) a **Resigning Alternate Member** shall not be replaced.
- 8A.4.2.5 Where less than three (3) **Alternate Members** remain in office following the resignation of an **Alternate Member**, the **Resigning Alternate Member** shall be elected (for the remainder of the term of office of the **Resigning Alternate Member**) in accordance with Paragraph 8A.2 and 8A.3 but subject to the further provisions of this Paragraph 8A.4.2.
- 8A.4.2.6 Only those **Users** who voted for the **Resigning Alternate Member**, or who did not vote for (and are not **Affiliates** of any **User** which voted for) any elected **Alternate Member** still serving, shall participate in the election by nominating candidates or submitting voting papers.
- 8A.4.2.7 **NGC** shall circulate to all **Users** a list of the **Users** who are to participate in the election.
- 8A.4.2.8 For the purposes of this Paragraph 8A.4.2 a **User** is considered (in any election of **Users' Alternate Members**) to have voted for an elected candidate where that **User** indicated a **Preference Vote** in favour of that candidate which was counted (under the first or second or third voting round or further round under Paragraph 8A.3.6, as the case may be) in electing that candidate.
- 8A.4.2.9 The timetable for the election shall be expedited and **NGC** shall prepare a timetable accordingly.
- 8A.4.2.3** Replacement for not less than 6 months pursuant other than to Paragraph 8.5.1 (b) (i)
- 8A.4.2.3.1 Where this Paragraph 8A.4.2-3 applies, a replacement **Panel Member** or **Alternate Member** shall be elected (for the remainder of the term of office of the **Resigning Panel Member** or **Resigning Alternate Member**) in accordance with Paragraph 8A.2 and 8A.3 but subject to the further provisions of this Paragraph 8A.4.2.3.
- 8A.4.2.3.2 Only those **Users** who voted for the **Resigning Panel Member** or **Resigning Alternate Member**, or who did not vote for (and are not **Affiliates** of any **User** which voted for) any elected **Panel Member** or **Alternate Member** still serving, shall participate in the election by nominating candidates or submitting voting papers.
- 8A.4.2.3.3 **NGC** shall circulate to all **Users** a list of the **Users** who are to participate in the election.
- 8A.4.2.3.4 For the purposes of this Paragraph 8A.4.2-3 a **User** is considered (in any election of **Users' Panel Members** and **Alternate Members**) to

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have voted for an elected candidate where that **User** indicated a **Preference Vote** in favour of that candidate which was counted (under the first or second or third voting round or further round under Paragraph 8A.3.6, as the case may be) in electing that candidate.

8A.4.23.5 The timetable for the election shall be expedited and **NGC** shall prepare a timetable accordingly.

#### 8A.4.34 Replacement for less than 6 months

8A.4.34.1 Where this Paragraph 8A.4.34 applies, the **User** which nominated the **Resigning Panel Member** or **Resigning Alternate Member** shall be entitled (by notice to **NGC**) to appoint a replacement **Panel Member** or **Alternate Member** for the remainder of the term of office of the **Resigning Panel Member** or **Resigning Alternate Member**.

8A.4.34.3 If such **User** does not appoint a replacement, the position shall remain vacant until the next full election.

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