



**National Grid**

## **CONSULTATION DOCUMENT**

### **CUSC Amendment Proposal CAP023**

#### **Paragraph 8.15.4 – Rejection of a Proposal**

*The purpose of this document is to consult on Amendment Proposal CAP023 with CUSC Parties and other interested Industry members*

Amendment Ref	CAP023
Issue	1.0
Date of Issue	14 August 2002
Prepared by	National Grid

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

Version	Date	Author	Change Reference
0.1	12/8/02	National Grid	Initial Draft for internal comment
1.0	14/8/02	National Grid	Formal version for release

**b Document Location**

National Grid website:

[http://www.nationalgridinfo.co.uk/cusc/mn\\_consultation\\_index.html](http://www.nationalgridinfo.co.uk/cusc/mn_consultation_index.html)

**c Distribution**

Name	Organisation
CUSC Parties	Various
Panel Members	Various
Interested Parties	Various
Core Industry Document Owners	Various
National Grid Industry Information Website	-

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## 1.0 SUMMARY

- 1.1 CAP023 was proposed by National Grid and submitted to the Amendments Panel for consideration at their meeting on 26<sup>th</sup> July 2002. The Amendments Panel determined that CAP023 should go straight to wider industry consultation.
- 1.2 CAP023 proposes that the Paragraph 8.15.4 of the CUSC be amended to allow the Amendments Panel to have discretion in determining whether or not a proposal should be rejected.
- 1.3 This document initiates this wider industry consultation process and invites views on CUSC Amendment Proposal CAP023. The consultation closing date is **12<sup>th</sup> September 2002**.

## 2.0 INTRODUCTION

- 2.1 This consultation document is 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 This document outlines the nature of the CUSC changes that are proposed and seeks views from industry members relating to Amendment Proposal CAP023. Representations received in response to this consultation document will be included in National Grid's Amendment Report that will be furnished to the Authority for their decision.
- 2.3 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 <http://www.nationalgrid.com/uk/indinfo/cusc>, along with the Amendment Proposal itself.

## 3.0 THE AMENDMENT PROPOSAL

- 3.1 CAP023 proposes to allow the Amendments Panel to have discretion in determining whether or not a proposal should be rejected in the circumstances provided by Paragraph 8.15.4 of the CUSC.
- 3.2 It is considered that it Paragraph 8.15.4(b) causes particular inefficiencies with regard to Urgent Amendment Proposals that have been rejected by the Authority due to an error in the legal drafting or a similar technicality, but which the Authority may agree with in principle, since another proposal which has the same effect as the rejected Urgent Amendment Proposal would be subject to the 2 month delay under the existing Paragraph 8.15.4(b).
- 3.3 The draft text to give effect to CAP023 is contained in Annex 1.

## 4.0 IMPLEMENTATION AND TIMESCALES

- 4.1 There is no material impact associated with the timing of the implementation of CAP023. It is therefore proposed that implementation takes place with effect from 10 days after the Authority's decision.

## 5.0 INITIAL VIEW OF AMENDMENTS PANEL

- 5.1 The Amendments Panel members determined that CAP023 be subject to consultation to seek industry views on the Amendment Proposal and whether such an amendment of the CUSC would better facilitate the Applicable CUSC Objectives.
- 5.2 Amendments Panel members noted that the principles behind CAP023 had been agreed by the Governance Standing Group (GSG) during their consideration of Urgent Amendment Proposals, although the GSG had not reviewed any specific drafting.

Further information on the Governance Standing Group, including membership, terms of reference and notes of meetings, is available on the ONational Grid CUSC website via the link below:

[http://www.nationalgridinfo.co.uk/cusc/mn\\_working\\_group.html](http://www.nationalgridinfo.co.uk/cusc/mn_working_group.html)

## 6.0 INITIAL VIEW OF NATIONAL GRID

- 6.1 National Grid believes that Amendment Proposal CAP023 should be approved for implementation. This is on the basis that the mandatory requirement to reject a proposal in the circumstances provided for in Paragraph 8.15.4 causes a 2 month delay which may lead to inefficiencies in the process. Amendment of Paragraph 8.15.4 to allow the Amendments Panel to determine whether or not to direct the Panel Secretary to reject a proposal would increase efficiency in the Amendment Process.

## 7.0 VIEWS INVITED

- 7.1 National Grid is seeking the views of interested parties in relation to the issues raised by Amendment Proposal CAP023 and any issues associated with the proposed timing for implementation.
- 7.2 Please send your responses to this consultation to National Grid by no later than close of business on **Thursday 12<sup>th</sup> September 2002**.
- 7.3 Please address all comments to the following e-mail address:

[emma.groves@uk.ngrid.com](mailto:emma.groves@uk.ngrid.com)

Or alternatively, comments may be addressed to:

Emma Groves  
Commercial  
National Grid Company plc  
National Grid House  
Kirby Corner Road  
Coventry  
CV4 8JY

## Annex 1 - Proposed Text to Modify CUSC

### Part A - Text to give effect to the Proposed Amendment

#### Conformed Version

8.15.4 Without prejudice to the development of an **Alternative Amendment** pursuant to Paragraph 8.20.2 the **Amendments Panel** may direct the **Panel Secretary** to reject a proposal ~~a proposal shall be rejected by the **Panel Secretary**~~ pursuant to Paragraph 8.15 if, and to the extent that such proposal has, in the opinion of the **Amendments Panel**, substantially the same effect as:

- (a) a **Pending Amendment Proposal**; or
- (b) a **Rejected Amendment Proposal** where such proposal is made at any time within two (2) months after the decision of the Authority not to direct **NGC** to modify the **CUSC** pursuant to the **Transmission Licence** in the manner set out in such **Amendment Proposal**,

and the **Panel Secretary** shall notify the **Proposer** accordingly.

#### Clean Version

8.15.4 Without prejudice to the development of an **Alternative Amendment** pursuant to Paragraph 8.20.2 the **Amendments Panel** may direct the **Panel Secretary** to reject a proposal pursuant to Paragraph 8.15 if, and to the extent that such proposal has, in the opinion of the **Amendments Panel**, substantially the same effect as:

- (a) a **Pending Amendment Proposal**; or
- (b) a **Rejected Amendment Proposal** where such proposal is made at any time within two (2) months after the decision of the Authority not to direct **NGC** to modify the **CUSC** pursuant to the **Transmission Licence** in the manner set out in such **Amendment Proposal**,

and the **Panel Secretary** shall notify the **Proposer** accordingly.