

CUSC Amendment Proposal Form	CAP017
Title of Amendment Proposal:	
Alternative Amendments	
Description of the Proposed Amendment <i>(mandatory by proposer):</i>	
This Amendment proposes a number of changes to the text and terminology of Section 8 of the CUSC (CUSC Amendment). The changes are concerned with both the definition and processes relating to "Alternative Amendments". The attachment provides further detail.	
Description of Issue or Defect that Proposed Amendment seeks to Address <i>(mandatory by proposer):</i>	
Following the consideration of the CUSC Amendment Proposals to date, it has become apparent that both the definition and the processes relating to "Alternative Amendments" (as currently set out in Section 8 of the CUSC) are insufficient in a number of ways:	
<ul style="list-style-type: none"> • The current definition as set out in 8.20.2(e) implies that an Alternative Amendment may only be developed during the consultation stage (and not raised or developed by a Working Group during the Working Group stage); • It is not clear as to whether just one or more than one Alternative Amendment may be raised or developed by a Working Group or during the consultation stage; • 8.20.2(e) suggests that an Amendment Report should contain a full description and analysis of any Alternative Amendment. In cases where an Alternative Amendment has been raised during the consultation stage, this may not be possible due to the detail provided on this during the consultation process and/or due to the time-scales involved for preparing Amendment Reports. Furthermore, depending on the issue in question, it may be more appropriate for such Alternative Amendment to be considered further by a Working Group and/or be the subject of wider industry consultation before being put forward as an Alternative Amendment in the Amendment Report; and • It is not clear whether all alternative amendments or only the one judged to be the best (as identified by a Working Group) be presented as Alternative Amendments for consultation and included as Alternative Amendments in the Amendment Report. 	
This Amendment Proposal seeks to address the above deficiencies by making a number of proposed changes to the CUSC. The attachment provides further detail.	
Impact on the CUSC <i>(this should be given where possible):</i>	
See attached draft text.	
Impact on Core Industry Documentation <i>(this should be given where possible):</i>	
None.	
Impact on Computer Systems and Processes used by CUSC Parties <i>(this should be given where possible):</i>	
None.	
Details of any Related Modifications to Other Industry Codes <i>(where known):</i>	
None	
Justification for Proposed Amendment with Reference to Applicable CUSC Objectives <i>(mandatory by proposer):</i>	
Improving clarity and removing uncertainty from the CUSC documentation enables National Grid to more easily and efficiently discharge its obligations under the Act and the Transmission Licence and fulfil its obligations to facilitate competition in the generation and supply of electricity.	

Details of Proposer: Organisation's Name:	The National Grid Company plc
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:	Andy Balkwill National Grid 024 7642 3198 andy.balkwill@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Edgar Goddard National Grid 024 7642 3185 edgar.goddard@uk.ngrid.com
Attachments (Yes/No): Yes	
If Yes, Title and No. of pages of each Attachment:	
Draft Outline of Changes Required (3 Pages)	

Notes:

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.

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:

Mark Cox
Panel Secretary
Commercial Development
National Grid Company plc
National Grid House
Kirby Corner Road
Coventry, CV4 8JY

Or via e-mail to: 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).

Attachment

Draft Outline of Changes Required:

(i) Amend Paragraph 8.17.12 as drafted below:

8.17.12 At the meeting referred to in Paragraph 8.17.11 the **Amendments Panel** shall consider the **Working Group's** report and shall determine whether to:-

- (a) refer the **Amendments Proposal** and any **Alternative Amendment** back to the **Working Group** for further analysis (in which case the **Amendments Panel** shall determine the timetable and terms of reference to apply in relation to such further analysis); or
- (b) proceed then to wider consultation by **NGC**.

(ii) Amend Paragraph 8.19.1 as drafted below:

8.19.1 After consideration of any **Working Group** report on the **Amendment Proposal** and any **Alternative Amendment** by the **Amendments Panel** and a determination by the **Amendments Panel** to proceed to wider consultation by **NGC**, **NGC** shall consult on the **Amendment Proposal** and any **Alternative Amendment** with:

- (i) **CUSC Parties**; and
- (ii) such other persons who may properly be considered to have an appropriate interest in it.

Where following the establishment of a **Working Group**, or the decision of the **Amendments Panel** to proceed directly to consultation by **NGC**, in relation to an **Amendment Proposal**, the terms of reference of a **Standing Group** have been amended by the **Amendments Panel** to include the ability to comment on that **Amendment Proposal** and any **Alternative Amendment**, that **Standing Group** as a body shall be deemed to fall within sub-paragraph (ii) above and therefore shall be able to respond to **NGC's** consultation. It shall not, however, in so doing undertake the functions of a **Working Group**. In the absence of such a change in terms of reference, the **Standing Group** as a body shall have no ability to respond to any consultation.

(iii) Add new Paragraph 8.19.5 and renumber existing Paragraph 8.19.5 to 8.19.6 as drafted below:

8.19.5 Where an **Alternative Amendment** is raised during the consultation process and **NGC** reasonably believes such **Alternative Amendment** warrants further consideration prior to the submission of the **Amendment Report**, **NGC** (in consultation with the **Amendments Panel**) may (taking due account of its complexity, importance and urgency) justify an extension of the timetable agreed pursuant to 8.16.4 to allow further consideration of the **Alternative Amendment** via further **Working Group** consideration or further consultation provided the **Authority** does not object, taking into account all those issues:

8.19.6 Consultation Papers will be copied to **Core Industry Document Owners**.

(iv) Amend Paragraph 8.20.2 as drafted below:

8.20.2 The matters to be included in an **Amendment Report** shall be the following (in respect of the **Amendment Proposal**):

- (a) the **Proposed Amendment**;
- (b) the recommendation of **NGC** as to whether or not the **Proposed Amendment** (or any **Alternative Amendment** as provided below) should be made;

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- (c) a summary (agreed by the **Amendments Panel**) of the views (including any recommendations) from **Panel Members** and/or the **Working Group** as the case may be made during the consultation in respect of the **Proposed Amendment** and of any **Alternative Amendment**;
- (d) an analysis of whether (and, if so, to what extent) the **Proposed Amendment** would better facilitate achievement of the **Applicable CUSC Objective(s)**;
- (e) where possible a full description and analysis of any ~~a~~**Alternative proposed amendment developed during the consultation** (~~“Alternative Amendment”~~) which, as compared with the **Proposed Amendment**, may better facilitate achievement of the **Applicable CUSC Objective(s)** and the views and rationale in respect thereof;
- (f) the proposed date for the implementation of the **Proposed Amendment** or **Alternative Amendment**;
- (g) an assessment of:
 - (i) the impact of the **Proposed Amendment** and any **Alternative Amendment** on the **Core Industry Documents**;
 - (ii) the changes which would be required to the **Core Industry Documents** in order to give effect to the **Proposed Amendment** and any **Alternative Amendment**;
 - (iii) the mechanism and likely timescale for the making of the changes referred to in Paragraph (ii);
 - (iv) the changes and/or developments which would be required to central computer systems and, if practicable, processes used in connection with the operation of arrangements established under the **Core Industry Documents**;
 - (v) the mechanism and likely timescale for the making of the changes referred to in Paragraph (iv);
 - (vi) an estimate of the costs associated with making and delivering the changes referred to in Paragraphs (ii) and (iv), such costs are expected to relate to: for (ii) the costs of amending the Core Industry Document(s) and for (iv) the costs of changes to computer systems and possibly processes which are established for the operation of the Core Industry Documents.together with a summary of representations in relation to such matters;
- (h) to the extent such information is available to **NGC**, an assessment of the impact of the **Proposed Amendment** and any **Alternative Amendment** on **CUSC Parties** in general (or classes of **CUSC Parties** in general), including the changes which are likely to be required to their internal systems and processes and an estimate of the development, capital and operating costs associated with implementing the changes to the **CUSC** and to **Core Industry Documents**;
- (i) copies of (and a summary of) all written representations or objections made by consultees during the consultation in respect of the **Proposed Amendment** and any **Alternative Amendment** and subsequently maintained;
- (j) a copy of any impact assessment prepared by **Core Industry Document Owners** and the views and comments of **NGC** in respect thereof.

(v) Definition to be amended in Section 11

“Alternative Amendment” Any alternative(s) to the Proposed Amendment developed by a Working Group and/or raised during the consultation process undertaken pursuant to Paragraph 8.19 as the case may be, which, as compared with the Proposed Amendment, may better facilitate achievement of the Applicable CUSC Objective(s) and the views and rationale in respect thereof.

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