



DRAFT FOR PANEL VOTE

AMENDMENT REPORT

CUSC Proposed Amendment CAP141

Clarification of the Content of a Response to a Request for a Statement of Works

The purpose of this report is to assist the Authority in their decision of whether to implement Amendment Proposal CAP141

Amendment Ref	CAP141
Issue	0.2
Date of Issue	20/07/07
Prepared by	National Grid

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

Version	Date	Author	Change Reference
0.1	03/07/07	National Grid	Draft for Industry comment
0.2	20/07/07	National Grid	Draft for Panel Vote
0.3		National Grid	Draft for Panel comments
1.0			Final version submitted to the Authority

b Document Location

National Grid Website:

www.nationalgrid.com/uk/Electricity/Codes/

c Distribution

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

II CONTENTS TABLE

1.0 SUMMARY AND RECOMMENDATIONS	3
2.0 PURPOSE AND INTRODUCTION	3
3.0 PROPOSED AMENDMENT	4
4.0 ALTERNATIVE AMENDMENT.....	4
5.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES	5
6.0 PROPOSED IMPLEMENTATION	6
7.0 IMPACT ON THE CUSC	6
8.0 IMPACT ON CUSC PARTIES	6
9.0 IMPACT ON INDUSTRY DOCUMENTS AND INDUSTRY COMPUTER SYSTEMS OR PROCESSES.....	7
10.0 VIEWS AND REPRESENTATIONS	7
12.0 AMENDMENT PANEL RECOMMENDATION.....	10
13.0 NATIONAL GRID RECOMMENDATION.....	10
ANNEX 1- PROPOSED LEGAL TEXT TO MODIFY THE CUSC.....	11
ANNEX 2 – AMENDMENT PROPOSAL FORM	41
ANNEX 3 – REPRESENTATIONS RECEIVED DURING CONSULTATION.....	47
ANNEX 4 – REPRESENTATIONS RECEIVED UPON THE DRAFT AMENDMENT REPORT	74
ANNEX 5 – RESPONSES TO LEGAL TEXT CONCERNS RAISED AT CONSULTATION ALTERNATIVE STAGE.....	76

1.0 SUMMARY AND RECOMMENDATIONS

Executive Summary

- 1.1 CAP141 - Clarification of the Content of a Response to a Request for a Statement of Works was proposed by DONG Walney (UK) Ltd on the 30th November 2006. CAP141 aims to provide clarity to the Request for a Statement of Works process which was introduced by CAP097 - Revision to the contractual requirements for Small and Medium Embedded Power Stations under CUSC 6.5 and implemented on 14th July 2006.
- 1.2 The Working Group developed a Working Group Alternative based on the Original proposed amendment and addressing the same defect plus addition process clarifications as identified, discussed and developed by group. The Working Group Alternative develops the Statement of Works Exhibit and creates a new process for Users to respond to National Grid following a Statement of Works, called the Confirmation of Project Progression, which shall be treated as a deemed Modification Application for the purposes of the Charging Statement.
- 1.3 The Working Group Alternative Amendment also amends CUSC 6.5.5 to reflect the new Statement of Works and Confirmation of Project Progression process.
- 1.4 Following the consultation period by National Grid, Scottish Hydro Electric Power Distribution plc (SHEPD) have raised two Consultation Alternative Amendments. SHEPD supports the intention behind the proposed amendments but does not support the current drafting of the Original or the Working Group Alternative Amendment.

National Grid Recommendation

- 1.5 National Grid is supportive of CAA – B and agrees with the proposer that this Alternative would better facilitate the achievement of the Applicable CUSC Objectives.

Amendment Panel Recommendation

- 1.6

2.0 PURPOSE AND INTRODUCTION

- 2.1 This Amendment Report has been prepared and 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 CAP141 (see Annex 2) and the subsequent wider industry consultation that was undertaken by National Grid, this document is addressed and furnished to the Gas and Electricity Markets Authority (“the Authority”) in order to assist them in their decision whether to implement Amendment Proposal CAP141.
- 2.3 CAP141 was proposed by DONG Walney (UK) Ltd and submitted to the Amendments Panel for their consideration on 30th November 2006. The Amendments Panel determined that the proposal should be considered by a Working Group and that the Group should report back to the panel meeting

within 3 months. However, National Grid failed to receive the required number of Working Group members in accordance with CUSC 8.17.3. National Grid raised this issue at the next Amendments Panel and a further member was nominated, this therefore created a delay and an extension of one month was requested and approved by Ofgem.

- 2.4 This document outlines the nature of the CUSC changes that are proposed. It incorporates National Grid's recommendations to the Authority concerning the Amendment. Copies of all representations received in response to the consultation have been also been included and a 'summary' of the representations received is also provided. Copies of each of the responses to the consultation are included as Annex 3 to this document.
- 2.5 This Amendment Report 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/.

3.0 PROPOSED AMENDMENT

- 3.1 CAP141 - Clarification of the Content of a Response to a Request for a Statement of Works aims to amend the CUSC to clarify National Grid's response when responding to a Request for a Statement of Works in accordance with CUSC 6.5.5.

- 3.2 CUSC 6.5.5 requires a User who owns or operates a Distribution System to make a Request for a Statement of Works prior to the connection or use of its distribution system for a Relevant Embedded Medium Power Station and / or Relevant Embedded Small Power Station. National Grid is required to respond in writing within 28 days of such a request, however the format of the response is not defined within an Exhibit nor is Statement of Works defined in Section 11 of the CUSC, even though 6.5.5.3, 6.5.5.4 and 6.5.5.5 defines three possible categories of works. They are as follows:

- i) *there are works required on the GB Transmission System (CUSC 6.5.5.3) or*
- ii) *there are works required on the GB Transmission System which also give rise to modifications to Connection Assets (CUSC 6.5.5.4) or*
- iii) *that Site Specific Requirements are necessary at the site of connection of the Power Station (CUSC 6.5.5.5).*

- 3.3 In addition there is no requirement for National Grid to indicate the magnitude of any works identified with the Statement of Works and the User who owns or operates a Distribution System who makes the request has no obligation to pass the response to a Request for a Statement of Works to the Relevant Embedded Medium Power Station or Relevant Embedded Small Power Station. Therefore it is proposed to amend CUSC 6.5.5, define Statement of Works and create a new Exhibit for a Statement of Works.

4.0 ALTERNATIVE AMENDMENT

Working Group Alternative

- 4.1 The Working Group Alternative Amendment seeks to address the same defect as the Original proposal plus addition process clarifications as identified, discussed and developed by the Working Group (for full details see Working Group Report). The Working Group Alternative develops the Statement of Works Exhibit and creates a new process for Users to respond

to National Grid following a Statement of Works, called the Confirmation of Project Progression, which shall be treated as a deemed Modification Application for the purposes of the Charging Statement.

- 4.2 The Working Group Alternative Amendment also amends CUSC 6.5.5 to reflect the new Statement of Works and Confirmation of Project Progression process. 6.5.5.7 would be renumbered to 6.5.5.8 to accommodate the additional text.

Consultation Alternative Amendment A

- 4.3 Consultation Alternative Amendment A (CAA – A) proposes to amend the legal text of the Original Amendment. Specifically, it proposes to amend CUSC 6.5.5.3, where the User, in this case the Distribution System operator, is required to forward the Statement of Works to the Power Station, as soon as possible. The proposer agrees that the content of the Statement of Works should be passed on to the Power Station and this should be undertaken as soon as reasonably practicable. However, the proposer believes the format and content of the Statement of Works that is then passed to the Power Station should be at the discretion of the User, as this will allow the User to put in place the necessary connection offer which would contain, if applicable, any transmission related dependencies.

Consultation Alternative Amendment B

- 4.4 Consultation Alternative Amendment B (CAA – B) proposes to amend the Working Group Alternative Amendment. The first proposed change is to CUSC 6.5.5.3 as described in CAA – A above plus the removal of the final paragraphs in Exhibit V (Statement of Works and Confirmation of Project Progression), which requires the User to forward the Statement of Works to the Power Station, as the proposed drafting contradicts WGAA clause 6.5.5.4.
- 4.5 Secondly, CAA – B proposes to amend CUSC 6.5.5.6, 6.5.5.7 and Exhibit V paragraph 2 to remove the sentence which quantifies significant impact on the transmission system. The proposer believes that the Working Group Alternative Amendment in this aspect confuses two existing CUSC terms, Material Effect and a significant system impact and it is inappropriate to consolidate the two terms. In addition, the proposer believes the definition and scoping of significant system impact needs to be fully debated by the Industry.
- 4.6 Finally, the CAA –B proposes to amend CUSC 6.5.5.7 to insert the following text after Power Station “or the extension to”.

5.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES

Proposed Amendment

- 5.1 CAP141 would better facilitate the CUSC Objective

(a) the efficient discharge by the Licensee of the obligations imposed upon it by the act and the Transmission Licence;

Working Group Alternative Amendment

- 5.2 In the view of the Working Group CAP141 Working Group Alternative Amendment better meets Applicable CUSC Objective (a) by providing greater clarity for Users who own and operate a Distribution System and the Relevant Embedded Medium Power Station or Relevant Embedded Small Power Station in relation to CUSC 6.5.5 process for a Request for a Statement of Works.

Consultation Alternative Amendment A

- 5.5 In the view of the proposer CAA – A better meets Applicable CUSC Objective (a) for the same reasons as the CAP141 Original Proposed Amendment, plus it provides the User who owns and operates a Distribution System the flexibility to decide what elements of the Statement of Works should be forwarded on to the Power Station. This flexibility is necessary where elements of the Statement of Works pertain solely to the User.

Consultation Alternative Amendment B

- 5.6 In the view of the proposer CAA – B better meets Applicable CUSC Objectives (a) and (b) by removing an inappropriate consolidation of two definitions, "Material Effect" and "Relevant Embedded Small Power Station" and by facilitating the connection of Embedded Small Power Stations which could otherwise have been deterred from coming forward to request connection, or prevented from being connected. Further this CAA avoids the situation that an existing Power Station could be de-energised while reinforcements are completed for a Power Station extension.

6.0 PROPOSED IMPLEMENTATION

- 6.1 The Working Group and National Grid with Industry support propose CAP141 should be implemented 10 Business Days after an Authority decision.

7.0 IMPACT ON THE CUSC

- 7.1 CAP141 requires amendments to Section 6, Section 11 and an additional CUSC Exhibit. The text required to give effect to the Original Proposal is contained as Part A of Annex 1 of this document.
- 7.2 The text to give effect to the Working Group Alternative Amendment is attached as Part B of Annex 1 of this document.
- 7.3 The text to give effect to the Consultation Alternative Amendments is attached as Part C and D of Annex 1 of this document.

8.0 IMPACT ON CUSC PARTIES

- 8.1 CAP141 and the Alternative will have limited impact upon CUSC parties as the amendment aims to clarify the process introduced by CAP097 - Revision to the contractual requirements for Small and Medium Embedded Power Stations under CUSC 6.5 which was implemented on 14th July 2006.

9.0 IMPACT ON INDUSTRY DOCUMENTS AND INDUSTRY COMPUTER SYSTEMS OR PROCESSES

Core Industry Documents

- 9.1 CAP141 and the Alternatives has no impact upon Core Industry Documents or computer systems and process used by CUSC Parties. No consequential changes are required to the System Operator – Transmission Owner Code (STC), since CAP141 and its alternatives only clarifies the process between National Grid acting as GBSO and the User who owns or operates the Distribution System

Impact on other Industry Documents

- 9.2 CAP141 and the Alternatives may require the suitability of the application fees with Table 15 of the Statement of Use of System Charges.

10.0 VIEWS AND REPRESENTATIONS

- 10.1 This Section contains a summary of the views and representations made by consultees during the consultation period in respect of the Proposed Amendment and the Alternative Amendment.

Views of Panel Members

- 10.2 No views or representations were made by Panel Members in their capacity as Panel Members during the Consultation

View of Core Industry Document Owners

- 10.3 No views or representations were made by Core Industry Document Owners

Working Group

- 10.4 The Working Group recommends the Working Group Alternative Amendment believing that it would better facilitate achievement of Applicable CUSC Objective (a).

Responses to Consultation

10.5 The following table provides an overview of the representations received. Copies of the representations are attached as Annex 3.

Reference	Company	Supportive	Comments
CAP141-CR-01	Edf Energy	WGAA	Edf believe WGAA will better facilitate the achievement of Applicable Objective (a)
CAP141-CR-02	Scottish Power on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.	WGAA	Scottish Power Support WGAA and believe it offers a complete communication process and would further the achievement of Applicable Objective (a)
CAP141-CR-03	E.ON UK	WGAA	E.ON support WGAA and believe it would better facilitate the achievement of Applicable Objective (a)
CAP141-CR-04	Scottish and Southern Energy plc on behalf Southern Electric, Keadby generation ltd, Medway Power Ltd and SSE Energy Supply Ltd	Not supportive	Scottish and Southern does not support either amendment due to concerns regarding two aspects of the proposal which have been addressed in CAA B
CAP141-CR-05	RWE Trading	WGAA	RWE support WGAA and believes it will better facilitate the achievement of Applicable CUSC Objective (a)
CAP141-CR-06	Scottish Hydro Electric Power Distribution plc (SHEPD).	Not supportive	SHEPD raised both CAA's

Responses to Consultation Alternative

10.6 The following table provides an overview of the representations received. Copies of the representations are attached as Annex 3.

Reference	Company	Supportive	Comments
CAP141-CAAR-01	British Energy Group plc	CAA - B	British energy believes CAA-B will better facilitate the achievement of Applicable CUSC Objective (a) and provides greater clarity for DNO's and embedded generators
CAP141-CAAR-02	CE Electric UK	Not supportive	CE Electric UK raised a number of issues with the proposed legal text required to give effect to Consultative Alternative Amendment B. These are presented in Annex 5 of this report together with National Grids response to those issues. CE Electric UK is unable to support either or the two Consultative Alternative Amendments
CAP141-CAAR-03	DONG Walney (UK) ltd	WGAA	Dong energy remains supportive of WGAA and believes CAA's create uncertainty and remove transparency surrounding the Statement of Works Process
CAP141-CAAR-04	Edf Energy	WGAA	Edf remain supportive of WGAA and believes CAA-A and B are better than the current baseline but not better than WGAA.
CAP141-CAAR-05	RWE Trading	WGAA	RWE remains supportive of WGAA and believe CAA-A and B would not better facilitate the Applicable CUSC Objectives
CAP141-CAAR-06	SAIC Ltd on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.	WGAA	SAIC remain supportive of WGAA and CAA A and B would not better facilitate the Applicable CUSC Objectives
CAP141-CAAR-07	Scottish Power Energy Networks	CAA- A and B	SPEN is supportive of both CAA and believes it would better facilitate the Applicable CUSC Objectives.
CAP141-CAAR-08	Scottish and Southern Energy plc on behalf Southern Electric, Keadby generation Ltd, Medway Power Ltd & SSE Energy Supply Ltd	CAA B	Scottish and Southern support CAA B and believe it would better facilitate the achievement of the Applicable CUSC Objectives.

12.0 AMENDMENT PANEL RECOMMENDATION

12.1

13.0 NATIONAL GRID RECOMMENDATION

13.1 National Grid is supportive of CAA – B and agrees with the proposer that this Alternative would best facilitate the achievement of the Applicable CUSC Objectives. National Grid believes that WGAA also better facilitates the achievement of the Applicable Objective but to a lesser extent than CAA – B.

13.2 National Grid does not support the Original or CAA- A as they fail to address the process issues and clarifications identified by the Working Group.

13.3 As previously stated at the Consultation stage User's are informed that the final works within a Modification Offer following the Statement of Works process may differ, if changes occur in the Transmission System background, during the Offer period.

14.0 COMMENTS ON DRAFT AMENDMENT REPORT

14.1 National Grid received 1 responses following the publication of the draft Amendment Report. The following table provides an overview of each representation. Copies of the representations are attached as Annex 4.

Reference	Company	Summary of Comments
CAP141-AR-01	CE Electric UK	Amendment to comments in section 10.6

ANNEX 1- PROPOSED LEGAL TEXT TO MODIFY THE CUSC**Part A - Text to give effect to the Original Proposed Amendment**

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

CUSC 6.5.5 Statement of Works

- 6.5.5.1 Any **User** who owns or operates a **Distribution System** shall as soon as reasonably practicable upon receipt of a request for a connection to that **User's Distribution System** from a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** submit to **The Company** a **Request for a Statement of Works**. Such a submission by a **User** who owns or operates a **Distribution System** of a **Request for a Statement of Works** will be substantially in the form of Exhibit S1.
- 6.5.5.2 The **Request for a Statement of Works** must include the Technical Information in respect of such **Power Station** and its proposed date of connection to the **Distribution System**.
- 6.5.5.3 ~~The **Company** will notify the **User** in writing within 28 days of the submission of a **Request for a Statement of Works** respond in writing with a **Statement Works** substantially in the form of Exhibit S2 whether there are works required on the **GB Transmission System** as a result of the proposed connection of such **Power Station**.~~ The **User** shall forward such **Statement of Works** to the **Power Station** as soon as reasonably practicable.
- 6.5.5.4 The **User** who owns or operates a **Distribution System** shall have 90 **Business Days** from such notification under 6.5.5.3 to confirm to **The Company** in writing whether, in consultation with the proposed power station developer, it wishes to proceed with the project. Should the **User** fail to notify **The Company** within 90 **Business Days**, the **Request for a Statement of Works** shall be deemed withdrawn and the **User** shall not energise the connection of the **Power Station** that was subject to the **Request for a Statement of Works**.
The **User** shall then, as required by the **Statement of Works**,
~~either:~~
complete and submit to **The Company** a **Modification Application**, and comply with the terms thereof, in accordance with 6.9. For the avoidance of doubt, such **Modification Application** shall be required only when the **Statement of Works** shows that modifications to **Connection Assets** would be needed; and/or enter into and comply with a **Construction Agreement** in respect of any construction works, together with an agreement to vary the relevant **Bilateral Agreement**, in

each case as identified in the **Statement of Works** and in accordance with 1.3.2.

- 6.5.5.5 If **The Company** has notified the **User** that no works are required on the **GB Transmission System** pursuant to Paragraph 6.5.5.3, **The Company** may notify the **User** in writing within 28 days of the submission of a **Request for a Statement of Works** that **Site Specific Requirements** are necessary at the site of connection of the **Power Station**. Any **Site Specific Requirements** notified to the **User** shall be incorporated through an agreement to vary the **Bilateral Agreement** between **The Company** and the **User** for the appropriate **Grid Supply Point** of such **User**.
- 6.5.5.6 If **Site Specific Requirements** are necessary and a **Modification Application** has been submitted pursuant to Paragraph 6.5.5.4, then any such **Site Specific Requirements** shall be included in the **Modification Offer**.
- 6.5.5.7 The **User** shall notify **The Company** in writing if the proposed date of connection for such **Power Station** for which a **Request for a Statement of Works** has been submitted changes and shall submit a revised **Request for a Statement of Works**.

New Exhibit S2 required

(Format to be developed in discussion with The Company)

Section 11

“Request for a Statement of Works”

a request in the form or substantially in the form set out in Exhibit S₁ to the **CUSC**.

“Statement of Works”

a response to a **Request for a Statement of Works** in the form or substantially in the form set out in Exhibit S₂ to the **CUSC** and containing:

- a) a statement that there are works required on the **GB Transmission System** which do not give rise to modifications to **Connection Assets**, or that there are no such works required as a result of the proposed connection of the **Power Station**; and
- b) a statement that there are works required on the **GB Transmission System** which also give rise to modifications to **Connection Assets**, or that there are no such works required as a result of the proposed connection of the **Power Station**; and

- c) a statement that **Site Specific Requirements** are necessary at the site of connection of the **Power Station**, or that there are no such **Site Specific Requirements** required as a result of the proposed connection of the **Power Station**;

Part B - Text to give effect to the Working Group Alternative Amendment

6.5.5 Statement of Works

6.5.5.1 Any User who owns or operates a Distribution System shall as soon as reasonably practicable upon receipt of a request for a connection to and / or for the use of that User's Distribution System from a Relevant Embedded Medium Power Station or a Relevant Embedded Small Power Station submit to The Company a Request for a Statement of Works. Such a submission by a User who owns or operates a Distribution System of a Request for a Statement of Works will be substantially in the form of Exhibit U.

6.5.5.2 The Request for a Statement of Works must include the Technical Information in respect of such Power Station and its proposed date of connection to and / or for the use of the Distribution System.

6.5.5.3 The Company will within 28 days of the submission of a Request for a Statement of Works respond in writing to the User who owns or operates a Distribution System with a Statement of Works substantially in the form of Exhibit V. The User who owns or operates a Distribution System shall forward such Statement of Works to the Power Station as soon as reasonably practicable.

6.5.5.4 The User who owns or operates a Distribution System shall have 90 Business Days from such notification under Paragraph 6.5.5.3 to return to The Company a completed and signed Confirmation of Project Progression, in the form attached to the Statement of Works together with the appropriate fee. The User who owns or operates a Distribution System shall forward a copy of such Confirmation of Project Progression to the Power Station as soon as reasonably practicable.

6.5.5.5 The Confirmation of Project Progression together with the information included in the Request for a Statement of Works, and any further details as may be required by The Company shall be deemed to be a Modification Application for the purposes of the Charging Statements and Paragraphs 1.3.2, 6.9.2, 6.9.4 and 6.10 of the CUSC which shall apply thereto.

6.5.5.6 Where The Company believes the Power Station has no significant impact on the GB Transmission System (for avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000) or the

Deleted: S

Deleted: notify the User in writing

Deleted: whether there are works required on the GB Transmission System as a result of the proposed connection of such Power Station.

Deleted: confirm to

Deleted: in writing whether, in consultation with the proposed power station developer, it wishes to proceed with the project. Should the User fail to notify The Company within 90 Business Days, the Request for a Statement of Works shall be deemed withdrawn and the User shall not energise the connection of the Power Station that was subject to the Request for a Statement of Works. ¶

The User shall then, as required by the Statement of Works, either: ¶
complete and submit to The Company a Modification Application, and comply with the terms thereof, in accordance with 6.9. For the avoidance of doubt, such Modification Application shall be required only when the Statement of Works shows that modifications to Connection Assets would be needed; or ¶
enter into and comply with a Construction Agreement in respect of any construction works, together with an agreement to vary the relevant Bilateral Agreement, in each case as identified in the Statement of Works and in accordance with 1.3.2.

Deleted: If The Company has notified the User that no works are required on the GB Transmission System pursuant to Paragraph 6.5.5.3, The Company may notify the User in writing within 28 days of the submission of a Request for a Statement of Works that Site Specific Requirements are necessary at the site of connection of the Power Station. Any Site Specific Requirements notified to the User shall be incorporate ... [1]

Formatted: Indent: Left: 1.46 cm

Formatted: Bullets and Numbering

Statement of Works indicates that no works are required nor any Site Specific Requirements are necessary, the Statement of Works completes the process required for in respect of the Request for a Statement of Works for the purposes of Paragraph 6.5.1(a)(i) and the User who owns or operates a Distribution System may Energise the connection of the Power Station or permit the use of its Distribution System by the Power Station.

6.5.5.7 Where The Company believes the Power Station has a significant impact on the GB Transmission System (for avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000) and the Statement of Works indicates that works are required and/or Site Specific Requirements are necessary, should the User who owns or operates a Distribution System fail to return to The Company a signed and completed Confirmation of Project Progression (together with the appropriate fee) within 90 Business Days from such notification under Paragraph 6.5.5.3, the Request for a Statement of Works shall be deemed withdrawn and the User who owns or operates a Distribution System shall not energise the connection of nor permit the use of its Distribution System by the Power Station that was the subject of the Request for a Statement of Works in the manner described in the Request for a Statement of Works.

Formatted: Bullets and Numbering

6.5.5.8 The User who owns or operates a Distribution System shall notify The Company in writing if the proposed date of connection or any other of the details included in or provided pursuant to the Request for a Statement of Works for such Power Station for which a Request for a Statement of Works has been submitted, changes and the User who owns or operates a Distribution System shall (except where The Company agrees in writing that a revised Statement of Works is not reasonably required) submit a revised Request for a Statement of Works

Deleted: If Site Specific Requirements are necessary and a

CUSC - EXHIBIT U

**THE CONNECTION AND USE OF SYSTEM CODE
REQUEST FOR A STATEMENT OF WORKS
USER THAT OWNS OR OPERATES A DISTRIBUTION SYSTEM**

PLEASE STUDY THE FOLLOWING NOTES BEFORE COMPLETING AND SIGNING THIS APPLICATION FORM.

- 1 **The Company** requires the information requested in this application form for the purposes of assessing the impact of a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** upon the **GB Transmission System**. It is essential that the **User** submitting this **Request for a Statement of Works** should supply all information requested in this application form and that every effort should be made to ensure that such information should be accurate.
- 2 Please note that certain expressions which are used in this application form are defined in the Interpretation and Definitions (contained in Section 11 of the CUSC) and when this occurs the expressions have capital letters at the beginning of each word and are in bold.
- 3 Should **The Company** consider that any information provided is incomplete or unclear or should **The Company** require further information in order that it may assess the impact of a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** upon the **GB Transmission System**, the **User** submitting this **Request for a Statement of Works** will be requested to provide further information or clarification.
- 4 Should there be any change in any information provided by the **User** submitting this **Request for a Statement of Works** after it has been submitted to **The Company**, the **User** submitting this **Request for a Statement of Works** must immediately inform **The Company** of such a change.
- 5 **The Company** shall charge the **User** submitting this **Request for a Statement of Works**, and the **User** submitting this **Request for a Statement of Works** shall pay to **The Company**, **The Company's** Engineering Charges in relation to the assessment. An advance will be charged by **The Company** in accordance with the **Charging Statements**. No **Request for a Statement of Works** will be considered until such advance has been paid. The balance of ~~the~~**The Company** Engineering Charges shall be notified and invoiced by **The Company** to the **User** submitting this **Request for a Statement of Works** together with a breakdown of such charges and the **User** submitting this **Request for a Statement of Works** shall pay the same within 28 days of the date of **The Company's** invoice. In the event that the advance and any other payments exceed the appropriate **The Company** Engineering Charges the excess shall be repaid forthwith to the **User** submitting this **Request for a Statement of Works**.
- 6 The effective date upon which the application is made shall be the later of the date when **The Company** has received the advance application fee pursuant to Paragraph 5 above or the date when **The Company** is reasonably satisfied that the **User** submitting this **Request for a Statement of Works** has completed Sections A-D. **The Company** shall notify the **User** submitting this **Request for a Statement of Works** of such date.
- 7 **The Company** will assess the **Request for the Statement of Works** in accordance with the terms of Paragraph 6.5.5 (**Statement of Works**) and (where applicable) Paragraph 6.9 (**Modifications**) and Paragraph 6.10 (**Modifications and New Connection Sites**) of the CUSC and the **Transmission Licence**.
- 8 **The Company** will assess the **Request for a Statement of Works** as soon as is reasonably practicable and, in any event, will ~~notify-respond to~~ the **User** with a **Statement of Works** in accordance with Paragraph 6.5.5.3 within 28 days of the effective date of the application or such later period as the **Authority** agrees to. ~~Where a **Modification Offer** is required to be made following the assessment of the **Request for a Statement of Works** and where it is necessary to carry out additional extensive system studies to evaluate more fully the impact of the proposed development, **The Company** shall indicate the areas that require more detailed analysis. **The User** submitting this **Request for a Statement of Works** shall indicate whether it wishes **The Company** to undertake the work necessary to make a **Modification Offer** or, whether it wishes to withdraw the **Request for a Statement of Works** in accordance with Paragraph 6.5.5.4. To enable **The Company** to carry out any of the above mentioned necessary detailed system studies the **User** submitting this **Request for a Statement of Works** may, at the request of **The**~~

- ~~Company, be required to provide some or all of the Detailed Planning Data listed in Part 2 of the Appendix to the Planning Code which is part of the Grid Code.~~
- 9 In the course of processing your Request for a Statement of Works, it may be necessary for The Company to consult the appropriate Public Distribution System Operator(s) on matters of technical compatibility of the GB Transmission System with their Distribution System(s) or to consult the Relevant Transmission Licensees to establish the works required on the GB Transmission System. On grounds of commercial confidentiality The Company shall need your authorisation to the release to the Public Distribution System Operator(s) or the Relevant Transmission Licensees of certain information contained in your application. Any costs incurred by The Company in consulting the Public Distribution System Operator(s) or Relevant Transmission Licensees would be included in the The Company Charges for the application. If it is found by the Public Distribution System Operator(s) that any work is required on their Distribution System(s), then it will be for the Public Distribution System Operator(s) and the User submitting this Request for a Statement of Works to reach agreement in accordance with Paragraph 6.10.3 of the CUSC.
- 10 If the User submitting this Request for a Statement of Works is not already a CUSC Party the User submitting this Request for a Statement of Works will be required as part of this application form to undertake that he will comply with the provisions of the Grid Code for the time being in force. Copies of the Grid Code and the CUSC are available on the The Company website at www.nationalgrid.com/uk and the User submitting this Request for a Statement of Works is advised to study them carefully. Further copies are available on payment of The Company's copying charge, postage and packing. Data submitted pursuant to this application shall be deemed submitted pursuant to the Grid Code.
- 11 Any Modification Offer following the signed completion of a Confirmation of Project Progression will be based to the extent appropriate upon its standard form terms for a Modification Offer and the Charging Statements. ~~The User submitting this Request for a Statement of Works should bear in mind The Company's standard form terms of offer when making this application.~~
- 12 ~~Where the Applicant completes and signs a Confirmation of Project Progression following the Statement of Works, the Applicant has the ability to choose whether they wish to apply on a fixed price or variable price application fee basis. Fixed price application fee is derived from analysis of historical costs of similar applications. Variable price application fee is based on an advance of the Transmission Licensee's Engineering and out of pocket expenses and will vary according to the size of the scheme and the amount of work involved. Applicants are requested to indicate their preferred basis in the Confirmation of Project Progression. Applicants are advised that further information (including circumstances when the application fee may be refunded under the Statement of Use of System Charging Methodology) can be obtained from the Charging Statements which can be found on National Grid Electricity Transmission plc's website. If Applicants require further assistance they are recommended to contact National Grid Electricity Transmission plc's Headquarters, where our staff will be pleased to help.~~
- 1213 Please complete this application form in black print and return it duly signed to CUSC Panel Secretary, National Grid Electricity Transmission plc, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA (Telephone No. 01926 65 3000).

Formatted: Normal, Left, Widow/Orphan control, Tabs: 0.5", List tab + Not at 0.49"
Formatted: Bullets and Numbering

Formatted: Font: (Default) Arial, English (U.K.)
Formatted: Bullets and Numbering

For the most up to date contact details Users submitting this Request for a Statement of Works are advised to contact the The Company website at:

www.nationalgrid.com/uk

B THE PROPOSED POINT OF CONNECTION TO A DISTRIBUTION SYSTEM

1. Please identify (preferably by reference to an extract from Ordnance Survey Map) the intended location of the **Plant** and **Apparatus** (the "User Development") which it is desired should be connected to the **Distribution System**.

.....
.....
.....

2. Please identify the intended **Grid Supply Point** through which that part of the **User's Distribution System** to which the **Relevant Embedded Medium Power Station** or **Relevant Embedded Small Power Station** is connected, connects to the **GB Transmission System**.

.....
.....
.....

C TECHNICAL INFORMATION

Please provide the **Data** listed in Part 1 of the Appendix to the **Planning Code** in respect of the relevant **Distribution System** and the **Embedded Power Station** to the extent that the data will change from previously submitted Committed Project Planning Data or Connected Planning Data. Note: the **Data** concerned form part of the **Planning Code** and **Data Registration Code**. User submitting this **Request for a Statement of Works** should refer to these sections of the **Grid Code** for an explanation.

D PROGRAMME

Please provide the anticipated date when the **Embedded Power Station(s)** will have its connection **Energised and/or commence use of the Distribution System**

REQUEST FOR A STATEMENT OF WORKS

Please study the notes before completing and signing this application form.

- 1 We hereby submit a **Request for a Statement of Works** in respect of [.....] **Embedded Power Station** that is connecting to and/or using [.....] ~~Public Distribution System.~~
- 2 We will promptly inform **The Company** of any change in the information given in this **Request for a Statement of Works** as quickly as practicable after becoming aware of any such change.
- 3 If we are not already a **CUSC Party** we undertake for the purposes of this application to be bound by the terms of the **Grid Code** from time to time in force and to sign a **CUSC Accession Agreement**.
- 4 We authorise the release of certain information, on the grounds of commercial confidentiality, to the appropriate ~~Public operators of Distribution System's~~ **Operator(s)** or **Relevant Transmission Licensees** should it be considered necessary.
- 5 We confirm that we do/do not meet the **Approved Credit Rating** and **The Company Credit Rating**.
- 6 We confirm that we are applying in the category of Distribution System directly connected to the GB Transmission System. ~~[please insert appropriate description from table in paragraph 1.2.4 of the CUSC].~~

Signed:

.....
For and on behalf of the Applicant

Date:.....

END OF EXHIBIT U

**EXHIBIT V
STATEMENT OF WORKS**

The Company Secretary
DNO name
Address1
Address2
Town
Postcode

Name.uk.ngrid.com
Direct tel +44 (0)
Direct fax +44 (0)

www.nationalgrid.com

XX Month Year

For the Attention of ##

Dear Sir/Madam

Re: Statement of Works Dated XXXXXX

[Generator]

[at GSP]

[User Agreement Reference No A/#####-##EX(##) ("Bilateral Agreement")]

I refer to your **Request for a Statement of Works** dated [] in relation to the possible connection of the above Licence Exempt **Embedded Generator** in your **Distribution System** (the "Project").

We have now undertaken an initial assessment of the significance of the Project and [believe the **Power Station** has a significant impact on the **GB Transmission System** (for the avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000)] would advise you of the following implications:-

- i. Requirement for works on the **GB Transmission System** where such works are not at a **Connection Site**

Yes/No
- ii. Requirement for works to the **GB Transmission System** at a **Connection Site (Grid Supply Point)**

Yes/No
- iii. Necessity for **Site Specific Requirements** (at the site of connection) of the **Power Station**

Yes/No

If no works have been identified include the following:

[As this **Statement of Works** does not specify any works as being required nor any **Site Specific Requirements** as being necessary, our letter completes the process required for in respect of your **Request for a Statement of Works** for the purposes of Paragraph 6.5.1(a)(i)]

EXHIBIT V
STATEMENT OF WORKS

If works have been identified include the following:

[This **Statement of Works** will remain valid for a period of 90 **Business Days** from the date hereof, i.e. until **XX Month Year** ("**Expiry Date**")

After the Expiry Date this Statement of Works will lapse.

Should your customer wish to progress the Project, you will need to advise us of this fact by signing and returning to **The Company** the **Confirmation of Progression** form attached hereto by the **Expiry Date**.

Any signed **Confirmation of Progression** (together with the appropriate fee) received by **The Company** by the **Expiry Date**, together with the information included in the **Request for a Statement of Works**, shall be deemed to be **Modification Application** for the purposes of the **Charging Statements** and for Paragraphs 1.3.2, 6.9.2, 6.9.3 and 6.10 of the **CUSC** which shall apply thereto.

Modification Applications (including deemed **Modification Applications**) will only be valid under this process if received by **The Company** on or before the **Expiry Date**. In such event the **Expiry Date** shall not be extended, and this **Statement of Works** will lapse after the **Expiry Date** except where **The Company** agrees in writing that a revised **Statement of Works** is not reasonably required.

This **Statement of Works** has been assessed as at the date of issue. In the event that the system background changes on or before the **Expiry Date** of this **Statement of Works**, or before the **User** has completed, signed and returned the **Confirmation of Project Progression** with the appropriate fee, **The Company** reserves the right to revise any and all aspects of this **Statement of Works** and will notify the **User** of any changes to this **Statement of Works**.

This **Statement of Works** is made on the basis of and is only valid in respect of the information provided by the **User** in the **Request for a Statement of Works**. If the **User** wishes to make any changes to any information submitted with the **Request for a Statement of Works** a new **Request for Statement of Works** must be submitted to **The Company** before **Energisation** of the connection can take place. Please note, you may not energise the connection of the Project without having received a written notification from **The Company** that the process set out in Paragraph 6.5 of CUSC has been complied with in full.

Please note this **Statement of Works** should be forwarded to the **Power Station** as soon as reasonably practicable in accordance with Paragraph 6.5.5.3 of the CUSC.

Yours faithfully

For and on behalf of
National Grid Electricity Transmission plc

**EXHIBIT V
STATEMENT OF WORKS**

XX Month Year

For the Attention of ##

Dear Sir/Madam

Re: Statement of Works Dated XXXXXX

[Generator]

[at GSP]

[User Agreement Reference No A/#####-##EX(##) ("Bilateral Agreement")]

CONFIRMATION OF PROJECT PROGRESSION

We confirm that we have received agreement from the proposed power station developer in relation to the above **Statement of Works** that he/ she wish to progress with the Project.

We confirm that the information provided in the **Request for a Statement of Works** submitted on [#####] is correct and remains valid and we confirm that we will continue to comply with the terms of the **Request for a Statement of Works**.

We agree that by signing and returning this **Confirmation of Progression** (together with the appropriate fee) it shall, together with the information included in the **Request for a Statement of Works** and any further details as required by **The Company** pursuant to Paragraph 6.5.5.5, be treated as a **Modification Application**. We agree that any **Modification Offer** may comprise an agreement to vary the **Bilateral Agreement** and a **Construction Agreement**.

We wish to proceed on a [fixed] [variable] price application basis and enclosed the sum of £[#####] including VAT as set out in the current **Charging Statements** and hereby request a **Modification Offer** in respect of the **Statement of Works**.

Please note this **Confirmation of Project Progression** should be forwarded to the **Power Station** as soon as reasonably practicable in accordance with Paragraph 6.5.5.4 of the CUSC.

Signed

For and on Behalf of
Date

Part C – Text to give effect to the Consultation Alternative Amendment**CAA – A****CUSC 6.5.5 Statement of Works**

- 6.5.5.1 Any **User** who owns or operates a **Distribution System** shall as soon as reasonably practicable upon receipt of a request for a connection to that **User's Distribution System** from a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** submit to **The Company** a **Request for a Statement of Works**. Such a submission by a **User** who owns or operates a **Distribution System** of a **Request for a Statement of Works** will be substantially in the form of Exhibit S1.
- 6.5.5.2 The **Request for a Statement of Works** must include the Technical Information in respect of such **Power Station** and its proposed date of connection to the **Distribution System**.
- 6.5.5.3 **The Company** will ~~notify the **User** in writing~~ within 28 days of the submission of a **Request for a Statement of Works** respond in writing with a **Statement Works** substantially in the form of Exhibit S2 whether there are works required on the **GB Transmission System** as a result of the proposed connection of such **Power Station**. The **User** shall forward such information in the **Statement of Works** relevant to the **Power Station** as soon as reasonably practicable.
- 6.5.5.4 The **User** who owns or operates a **Distribution System** shall have 90 **Business Days** from such notification under 6.5.5.3 to confirm to **The Company** in writing whether, in consultation with the proposed power station developer, it wishes to proceed with the project. Should the **User** fail to notify **The Company** within 90 **Business Days**, the **Request for a Statement of Works** shall be deemed withdrawn and the **User** shall not energise the connection of the **Power Station** that was subject to the **Request for a Statement of Works**.
The **User** shall then, as required by the **Statement of Works**,
~~either:~~
complete and submit to **The Company** a **Modification Application**, and comply with the terms thereof, in accordance with 6.9. For the avoidance of doubt, such **Modification Application** shall be required only when the
Statement of Works shows that modifications to **Connection Assets** would be needed; and/or
enter into and comply with a **Construction Agreement**
in
respect of any construction works, together with an agreement to vary the relevant **Bilateral Agreement**, in

each case as identified in the **Statement of Works** and in accordance with 1.3.2.

- 6.5.5.5 If **The Company** has notified the **User** that no works are required on the **GB Transmission System** pursuant to Paragraph 6.5.5.3, **The Company** may notify the **User** in writing within 28 days of the submission of a **Request for a Statement of Works** that **Site Specific Requirements** are necessary at the site of connection of the **Power Station**. Any **Site Specific Requirements** notified to the **User** shall be incorporated through an agreement to vary the **Bilateral Agreement** between **The Company** and the **User** for the appropriate **Grid Supply Point** of such **User**.
- 6.5.5.6 If **Site Specific Requirements** are necessary and a **Modification Application** has been submitted pursuant to Paragraph 6.5.5.4, then any such **Site Specific Requirements** shall be included in the **Modification Offer**.
- 6.5.5.7 The **User** shall notify **The Company** in writing if the proposed date of connection for such **Power Station** for which a **Request for a Statement of Works** has been submitted changes and shall submit a revised **Request for a Statement of Works**.

New Exhibit S2 required

(Format to be developed in discussion with The Company)

Section 11

“Request for a Statement of Works”

a request in the form or substantially in the form set out in Exhibit S₁ to the CUSC.

“Statement of Works”

a response to a Request for a Statement of Works in the form or substantially in the form set out in Exhibit S₂ to the CUSC and containing:

- a) **a statement that there are works required on the GB Transmission System which do not give rise to modifications to Connection Assets, or that there are no such works required as a result of the proposed connection of the Power Station; and**
- b) **a statement that there are works required on the GB Transmission System which also give rise to modifications to Connection Assets, or that there are no such works required as a result of the proposed connection of the Power Station; and**

- c) a statement that **Site Specific Requirements** are necessary at the site of connection of the **Power Station**, or that there are no such **Site Specific Requirements** required as a result of the proposed connection of the **Power Station**;

CAA- B – (on the next page)

6.5.5 Statement of Works

6.5.5.1 Any User who owns or operates a Distribution System shall as soon as reasonably practicable upon receipt of a request for a connection to and / or for the use of that User's Distribution System from a Relevant Embedded Medium Power Station or a Relevant Embedded Small Power Station submit to The Company a Request for a Statement of Works. Such a submission by a User who owns or operates a Distribution System of a Request for a Statement of Works will be substantially in the form of Exhibit US.

6.5.5.2 The Request for a Statement of Works must include the Technical Information in respect of such Power Station and its proposed date of connection to and / or for the use of the Distribution System.

6.5.5.3 The Company will ~~notify the User in writing~~ within 28 days of the submission of a Request for a Statement of Works respond in writing to the User who owns or operates a Distribution System with a Statement of Works substantially in the form of Exhibit V, whether there are works required on the GB Transmission System as a result of the proposed connection of such Power Station. The User who owns or operates a Distribution System shall forward such information in the Statement of Works relevant to the Power Station as soon as reasonably practicable.

6.5.5.4 The User who owns or operates a Distribution System shall have 90 Business Days from such notification under Paragraph 6.5.5.3 to ~~confirm to return to The Company a completed and signed Confirmation of Project Progression, in the form attached to the Statement of Works together with the appropriate fee. The User who owns or operates a Distribution System shall forward a copy of such Confirmation of Project Progression to the Power Station as soon as reasonably practicable.~~ in writing whether, in consultation with the proposed power station developer, it wishes to proceed with the project. ~~Should the User fail to notify The Company within 90 Business Days, the Request for a Statement of Works shall be deemed withdrawn and the User shall not energise the connection of the Power Station that was subject to the Request for a Statement of Works.~~

~~The User shall then, as required by the Statement of Works, either:
complete and submit to The Company a Modification Application,
and comply with the terms thereof, in accordance with 6.9.~~

~~For the avoidance of doubt, such Modification Application shall be required only when the Statement of Works shows that modifications to Connection Assets would be needed; or~~
~~enter into and comply with a Construction Agreement in respect of any construction works, together with an agreement to vary the relevant Bilateral Agreement, in each case as identified in the Statement of Works and in accordance with 1.3.2.~~

~~6.5.5.5 If The Company has notified the User that no works are required on the GB Transmission System pursuant to Paragraph 6.5.5.3, The Company may notify the User in writing within 28 days of the submission of a Request for a Statement of Works that Site Specific Requirements are necessary at the site of connection of the Power Station. Any Site Specific Requirements notified to the User shall be incorporated through an agreement to vary the Bilateral Agreement between The Company and the User for the appropriate Grid Supply Point of such User. The Confirmation of Project Progression together with the information included in the Request for a Statement of Works, and any further details as may be required by The Company shall be deemed to be a Modification Application for the purposes of the Charging Statements and Paragraphs 1.3.2, 6.9.2, 6.9.4 and 6.10 of the CUSC which shall apply thereto.~~

~~6.5.5.6 Where The Company believes the Power Station has no significant impact on the GB Transmission System or the Statement of Works indicates that no works are required, the Statement of Works completes the process required for in respect of the Request for a Statement of Works for the purposes of Paragraph 6.5.1(a)(i) and the User who owns or operates a Distribution System may Energise the connection of the Power Station or permit the use of its Distribution System by the Power Station.~~

~~6.5.5.7 Where The Company believes the Power Station has a significant impact on the GB Transmission System and the Statement of Works indicates that works are required, should the User who owns or operates a Distribution System fail to return to The Company a signed and completed Confirmation of Project Progression (together with the appropriate fee) within 90 Business Days from such notification under Paragraph 6.5.5.3, the Request for a Statement of Works shall be deemed withdrawn and the User who owns or operates a Distribution System shall not energise the connection of nor permit the use of its Distribution System by the Power Station or the extension to the Power Station that was the subject of the Request for~~

Formatted: Bullets and Numbering

a Statement of Works in the manner described in the Request for a Statement of Works. If Site Specific Requirements are necessary and a

- 6.5.5.8 The User who owns or operates a Distribution System shall notify The Company in writing if the proposed date of connection or any other of the details included in or provided pursuant to the Request for a Statement of Works for such Power Station for which a Request for a Statement of Works has been submitted, changes and the User who owns or operates a Distribution System shall (except where The Company agrees in writing that a revised Statement of Works is not reasonably required) submit a revised Request for a Statement of Works

CUSC - EXHIBIT U

**THE CONNECTION AND USE OF SYSTEM CODE
REQUEST FOR A STATEMENT OF WORKS
USER THAT OWNS OR OPERATES A DISTRIBUTION SYSTEM**

PLEASE STUDY THE FOLLOWING NOTES BEFORE COMPLETING AND SIGNING THIS APPLICATION FORM.

- 1 **The Company** requires the information requested in this application form for the purposes of assessing the impact of a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** upon the **GB Transmission System**. It is essential that the **User** submitting this **Request for a Statement of Works** should supply all information requested in this application form and that every effort should be made to ensure that such information should be accurate.
- 2 Please note that certain expressions which are used in this application form are defined in the Interpretation and Definitions (contained in Section 11 of the CUSC) and when this occurs the expressions have capital letters at the beginning of each word and are in bold.
- 3 Should **The Company** consider that any information provided is incomplete or unclear or should **The Company** require further information in order that it may assess the impact of a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** upon the **GB Transmission System**, the **User** submitting this **Request for a Statement of Works** will be requested to provide further information or clarification.
- 4 Should there be any change in any information provided by the **User** submitting this **Request for a Statement of Works** after it has been submitted to **The Company**, the **User** submitting this **Request for a Statement of Works** must immediately inform **The Company** of such a change.
- 5 **The Company** shall charge the **User** submitting this **Request for a Statement of Works**, and the **User** submitting this **Request for a Statement of Works** shall pay to **The Company**, **The Company's** Engineering Charges in relation to the assessment. An advance will be charged by **The Company** in accordance with the **Charging Statements**. No **Request for a Statement of Works** will be considered until such advance has been paid. The balance of ~~the~~**The Company** Engineering Charges shall be notified and invoiced by **The Company** to the **User** submitting this **Request for a Statement of Works** together with a breakdown of such charges and the **User** submitting this **Request for a Statement of Works** shall pay the same within 28 days of the date of **The Company's** invoice. In the event that the advance and any other payments exceed the appropriate **The Company** Engineering Charges the excess shall be repaid forthwith to the **User** submitting this **Request for a Statement of Works**.
- 6 The effective date upon which the application is made shall be the later of the date when **The Company** has received the advance application fee pursuant to Paragraph 5 above or the date when **The Company** is reasonably satisfied that the **User** submitting this **Request for a Statement of Works** has completed Sections A-D. **The Company** shall notify the **User** submitting this **Request for a Statement of Works** of such date.
- 7 **The Company** will assess the **Request for the Statement of Works** in accordance with the terms of Paragraph 6.5.5 (**Statement of Works**) and (where applicable) Paragraph 6.9 (**Modifications**) and Paragraph 6.10 (**Modifications and New Connection Sites**) of the CUSC and the **Transmission Licence**.
- 8 **The Company** will assess the **Request for a Statement of Works** as soon as is reasonably practicable and, in any event, will ~~notify-respond to the User with a~~ **Statement of Works** in accordance with Paragraph 6.5.5.3 within 28 days of the effective date of the application or such later period as the **Authority** agrees to. ~~Where a Modification Offer is required to be made following the assessment of the Request for a Statement of Works and where it is necessary to carry out additional extensive system studies to evaluate more fully the impact of the proposed development. The Company shall indicate the areas that require more detailed analysis. The User submitting this Request for a Statement of Works shall indicate whether it wishes The Company to undertake the work necessary to make a Modification Offer or, whether it wishes to withdraw the Request for a Statement of Works in accordance with Paragraph 6.5.5.4. To enable The Company to carry out any of the above mentioned necessary detailed system studies the User submitting this Request for a Statement of Works may, at the request of The~~

- ~~Company, be required to provide some or all of the Detailed Planning Data listed in Part 2 of the Appendix to the Planning Code which is part of the Grid Code.~~
- 9 In the course of processing your Request for a Statement of Works, it may be necessary for The Company to consult the appropriate Public Distribution System Operator(s) on matters of technical compatibility of the GB Transmission System with their Distribution System(s) or to consult the Relevant Transmission Licensees to establish the works required on the GB Transmission System. On grounds of commercial confidentiality The Company shall need your authorisation to the release to the Public Distribution System Operator(s) or the Relevant Transmission Licensees of certain information contained in your application. Any costs incurred by The Company in consulting the Public Distribution System Operator(s) or Relevant Transmission Licensees would be included in the The Company Charges for the application. If it is found by the Public Distribution System Operator(s) that any work is required on their Distribution System(s), then it will be for the Public Distribution System Operator(s) and the User submitting this Request for a Statement of Works to reach agreement in accordance with Paragraph 6.10.3 of the CUSC.
- 10 If the User submitting this Request for a Statement of Works is not already a CUSC Party the User submitting this Request for a Statement of Works will be required as part of this application form to undertake that he will comply with the provisions of the Grid Code for the time being in force. Copies of the Grid Code and the CUSC are available on the The Company website at www.nationalgrid.com/uk and the User submitting this Request for a Statement of Works is advised to study them carefully. Further copies are available on payment of The Company's copying charge, postage and packing. Data submitted pursuant to this application shall be deemed submitted pursuant to the Grid Code.
- 11 Any Modification Offer following the signed completion of a Confirmation of Project Progression will be based to the extent appropriate upon its standard form terms for a Modification Offer and the Charging Statements. ~~The User submitting this Request for a Statement of Works should bear in mind The Company's standard form terms of offer when making this application.~~
- 12 Where the Applicant completes and signs a Confirmation of Project Progression following the Statement of Works, the Applicant has the ability to choose whether they wish to apply on a fixed price or variable price application fee basis. Fixed price application fee is derived from analysis of historical costs of similar applications. Variable price application fee is based on an advance of the Transmission Licensee's Engineering and out of pocket expenses and will vary according to the size of the scheme and the amount of work involved. Applicants are requested to indicate their preferred basis in the Confirmation of Project Progression. Applicants are advised that further information (including circumstances when the application fee may be refunded under the Statement of Use of System Charging Methodology) can be obtained from the Charging Statements which can be found on National Grid Electricity Transmission plc's website. If Applicants require further assistance they are recommended to contact National Grid Electricity Transmission plc's Headquarters, where our staff will be pleased to help.
- 1213 Please complete this application form in black print and return it duly signed to CUSC Panel Secretary, National Grid Electricity Transmission plc, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA (Telephone No. 01926 65 3000).

Formatted: Normal, Left, Widow/Orphan control, Tabs: 0.5", List tab + Not at 0.49"
Formatted: Bullets and Numbering

Formatted: Font: (Default) Arial, English (U.K.)
Formatted: Bullets and Numbering

For the most up to date contact details Users submitting this Request for a Statement of Works are advised to contact the The Company website at:

www.nationalgrid.com/uk

B THE PROPOSED POINT OF CONNECTION TO A DISTRIBUTION SYSTEM

1. Please identify (preferably by reference to an extract from Ordnance Survey Map) the intended location of the **Plant** and **Apparatus** (the "User Development") which it is desired should be connected to the **Distribution System**.

.....
.....
.....

2. Please identify the intended **Grid Supply Point** through which that part of the **User's Distribution System** to which the **Relevant Embedded Medium Power Station** or **Relevant Embedded Small Power Station** is connected, connects to the **GB Transmission System**.

.....
.....
.....

C TECHNICAL INFORMATION

Please provide the **Data** listed in Part 1 of the Appendix to the **Planning Code** in respect of the relevant **Distribution System** and the **Embedded Power Station** to the extent that the data will change from previously submitted Committed Project Planning Data or Connected Planning Data. Note: the **Data** concerned form part of the **Planning Code** and **Data Registration Code**. User submitting this **Request for a Statement of Works** should refer to these sections of the **Grid Code** for an explanation.

D PROGRAMME

Please provide the anticipated date when the **Embedded Power Station(s)** will have its connection **Energised and/or commence use of the Distribution System**

REQUEST FOR A STATEMENT OF WORKS

Please study the notes before completing and signing this application form.

- 1 We hereby submit a **Request for a Statement of Works** in respect of [.....] **Embedded Power Station** that is connecting to and/or using [.....] ~~Public Distribution System.~~
- 2 We will promptly inform **The Company** of any change in the information given in this **Request for a Statement of Works** as quickly as practicable after becoming aware of any such change.
- 3 If we are not already a **CUSC Party** we undertake for the purposes of this application to be bound by the terms of the **Grid Code** from time to time in force and to sign a **CUSC Accession Agreement**.
- 4 We authorise the release of certain information, on the grounds of commercial confidentiality, to the appropriate ~~Public operators of Distribution System's~~ **Operator(s)** or **Relevant Transmission Licensees** should it be considered necessary.
- 5 We confirm that we do/do not meet the **Approved Credit Rating** and **The Company Credit Rating**.
- 6 We confirm that we are applying in the category of Distribution System directly connected to the GB Transmission System. ~~[please insert appropriate description from table in paragraph 1.2.4 of the CUSC].~~

Signed:

.....
For and on behalf of the Applicant

Date:.....

END OF EXHIBIT U

**EXHIBIT V
STATEMENT OF WORKS**

The Company Secretary
DNO name
Address1
Address2
Town
Postcode

Name.uk.ngrid.com
Direct tel +44 (0)
Direct fax +44 (0)

www.nationalgrid.com

XX Month Year

For the Attention of ##

Dear Sir/Madam

Re: Statement of Works Dated XXXXXX
[Generator]
[at GSP]

[User Agreement Reference No A####-##EX(##) ("Bilateral Agreement")]

I refer to your **Request for a Statement of Works** dated [] in relation to the possible connection of the above Licence Exempt **Embedded Generator** in your **Distribution System** (the "Project").

We have now undertaken an initial assessment of the significance of the Project and believe the **Power Station** has a significant impact on the **GB Transmission System** would advise you of the following implications:-

- i. Requirement for works on the **GB Transmission System** where such works are not at a **Connection Site**

Yes/No
- ii. Requirement for works to the **GB Transmission System** at a **Connection Site (Grid Supply Point)**

Yes/No

If no works have been identified include the following:

[As this **Statement of Works** does not specify any works as being required, our letter completes the process required for in respect of your **Request for a Statement of Works** for the purposes of Paragraph 6.5.1(a)(i)]

XX Month Year

For the Attention of ##

Dear Sir/Madam

Re: Statement of Works Dated XXXXXX
[Generator]
[at GSP]
[User Agreement Reference No A#####-##EX(##) ("Bilateral Agreement")]

CONFIRMATION OF PROJECT PROGRESSION

We confirm that we have received agreement from the proposed power station developer in relation to the above **Statement of Works** that he/ she wish to progress with the Project.

We confirm that the information provided in the **Request for a Statement of Works** submitted on [#####] is correct and remains valid and we confirm that we will continue to comply with the terms of the **Request for a Statement of Works**.

We agree that by signing and returning this **Confirmation of Progression** (together with the appropriate fee) it shall, together with the information included in the **Request for a Statement of Works** and any further details as required by **The Company** pursuant to Paragraph 6.5.5.5, be treated as a **Modification Application**. We agree that any **Modification Offer** may comprise an agreement to vary the **Bilateral Agreement** and a **Construction Agreement**.

We wish to proceed on a [fixed] [variable] price application basis and enclosed the sum of £[#####] including VAT as set out in the current **Charging Statements** and hereby request a **Modification Offer** in respect of the **Statement of Works**.

Signed

For and on Behalf of

Date

ANNEX 2 – AMENDMENT PROPOSAL FORM

CUSC Amendment Proposal Form	CAP:141
Title of Amendment Proposal: Clarification of the Content of a Response to a Request for a Statement of Works	
Description of the Proposed Amendment (<i>mandatory by proposer</i>): It is proposed that the CUSC be modified to clarify the content of a response to a Request for a Statement of Works pursuant to CUSC section 6.5.5.	
Description of Issue or Defect that Proposed Amendment seeks to Address (<i>mandatory by proposer</i>): CUSC section 6.5.5 requires DNOs to make a Request for a Statement of Works prior to energisation of the connection of certain Embedded Power Stations. Whilst it is clear that The Company must respond within 28 days of such request, there is a lack of clarity on the content of such response. It would however appear that there are three possible categories of response: <ul style="list-style-type: none"> a) there are works required on the GB Transmission System (CUSC 6.5.5.3) or b) there are works required on the GB Transmission System which also give rise to modifications to Connection Assets (CUSC 6.5.5.4) or c) that Site Specific Requirements are necessary at the site of connection of the Power Station (CUSC 6.5.5.5). <p>The confusion in the CUSC is compounded by the use of the term “Statement of Works” in section 6.5.5.4, which is in bold but is not in fact defined. Further at the end of the first bullet point of 6.5.5.4 the term “or” should in all likelihood be “and/or”.</p> <p>A further point is that where the response to a Request for a Statement of Works shows that there are works required on the GB Transmission System, there is no obligation on The Company to indicate the magnitude of impact, which would make it very hard for an Embedded Power Station to decide whether to proceed with the project. For instance, there could be a very different decision depending on whether the impact was the installation of a system-to-generator inter-trip, compared with being caught up with a multi-million pound major infrastructure upgrade which would take many years.</p> <p>Finally it is proposed that there is an explicit requirement on the DNO to pass the response to a Request for a Statement of Works on to the Embedded Medium Station promptly.</p>	
Impact on the CUSC (<i>this should be given where possible</i>): Amend Section 6.5.5 as attached	
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>): The Company would need to provide further details in the response to a Request for a Statement of Works. The DNO would need to pass on the response to a Request for a Statement of Works to the	

Embedded Power Station promptly.	
Details of any Related Modifications to Other Industry Codes (where known):	
None	
Justification for Proposed Amendment with Reference to Applicable CUSC Objectives** (mandatory by proposer):	
<p>The current drafting of CUSC section 6.5.5 is unclear and responses to a Request for a Statement of Works may thus not be provided in a consistent or correct manner. The information provided to relevant Embedded Power Stations may not currently be passed on straight away and may not be sufficient for them to make the decisions as to whether to ask the DNO to proceed with the Modification Application or a request to vary the Bilateral Agreement. The proposed change will improve these matters and enable The Company 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.</p>	
Details of Proposer: Organisation's Name:	Dong Walney (UK) Ltd
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:	Anthony Cotton ETCS Ltd 01473 780 933 tony@energytechnical.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Ivan Christiansen DONG Walney (UK) Ltd 0045 2540 2186 ivach@dongenergy.dk
Attachments: Yes	
If Yes, Title and No. of pages of each Attachment: Proposed Legal Text, two pages	

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:

Beverley Viney
Panel Secretary
Commercial Frameworks
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Or via e-mail to: Beverley.Viney@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.

**CUSC Amendment Proposal: Clarification of Content of a
Response to a Request for a Statement of Works**

Attachment: Proposed Legal Text

6.5.5 Statement of Works

- 6.5.5.1 Any **User** who owns or operates a **Distribution System** shall as soon as reasonably practicable upon receipt of a request for a connection to that **User's Distribution System** from a **Relevant Embedded Medium Power Station** or a **Relevant Embedded Small Power Station** submit to **The Company** a **Request for a Statement of Works**. Such a submission by a **User** who owns or operates a **Distribution System** of a **Request for a Statement of Works** will be substantially in the form of Exhibit S1.
- 6.5.5.2 The **Request for a Statement of Works** must include the Technical Information in respect of such **Power Station** and its proposed date of connection to the **Distribution System**.
- 6.5.5.3 ~~The **Company** will notify the **User** in writing within 28 days of the submission of a **Request for a Statement of Works** respond in writing with a **Statement Works** substantially in the form of Exhibit S2 whether there are works required on the **GB Transmission System** as a result of the proposed connection of such **Power Station**. The **User** shall forward such **Statement of Works** to the **Power Station** as soon as reasonably practicable.~~
- 6.5.5.4 The **User** who owns or operates a **Distribution System** shall have 90 **Business Days** from such notification under 6.5.5.3 to confirm to **The Company** in writing whether, in consultation with the proposed power station developer, it wishes to proceed with the project. Should the **User** fail to notify **The Company** within 90 **Business Days**, the **Request for a Statement of Works** shall be deemed withdrawn and the **User** shall not energise the connection of the **Power Station** that was subject to the **Request for a Statement of Works**.
The **User** shall then, as required by the **Statement of Works**,
~~either:~~
- complete and submit to **The Company** a **Modification Application**, and comply with the terms thereof, in accordance with 6.9. For the avoidance of doubt, such **Modification Application** shall be required only when the **Statement of Works** shows that modifications to **Connection Assets** would be needed; and/or enter into and comply with a **Construction Agreement** in respect of any construction works, together with an agreement to vary the relevant **Bilateral Agreement**, in each case as identified in the **Statement of Works** and in accordance with 1.3.2.
- 6.5.5.5 If **The Company** has notified the **User** that no works are required on the **GB Transmission System** pursuant to Paragraph 6.5.5.3, **The Company** may notify the **User** in writing within 28 days of the submission of a **Request for a Statement of Works** that **Site Specific Requirements** are necessary at the site of connection of the **Power Station**. Any **Site Specific Requirements** notified to the **User** shall be incorporated through an agreement to vary the **Bilateral Agreement** between **The Company** and the **User** for the

appropriate **Grid Supply Point** of such **User**.

6.5.5.6 If **Site Specific Requirements** are necessary and a **Modification Application** has been submitted pursuant to Paragraph 6.5.5.4, then any such **Site Specific Requirements** shall be included in the **Modification Offer**.

6.5.5.7 The **User** shall notify **The Company** in writing if the proposed date of connection for such **Power Station** for which a **Request for a Statement of Works** has been submitted changes and shall submit a revised **Request for a Statement of Works**.

New Exhibit S2 required

(Format to be developed in discussion with The Company)

ANNEX 3 – REPRESENTATIONS RECEIVED DURING CONSULTATION

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 12th April 2007, requesting comments by close of business on 17th May 2007).

Representations were received from the following parties:

Reference	Company
CAP141-CR-01	Edf Energy
CAP141-CR-02	Scottish Power on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.
CAP141-CR-03	E.ON UK
CAP141-CR-04	Scottish and Southern Energy plc on behalf Southern Electric, Keadby generation ltd, Medway Power Ltd and SSE Energy Supply Ltd
CAP141-CR-05	RWE Trading
CAP141-CR-06	Scottish Hydro Electric Power Distribution plc (SHEPD).

Beverly Viney
Amendments Panel Secretary
Electricity Codes
National Grid [National Grid House]
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA



17th May 2007

Dear Beverley,

CUSC Amendment Proposal CAP141, Clarification of the Content of a Response to a Request for a Statement of Works

EDF Energy is pleased to have the opportunity to comment on the CUSC amendment proposal, CAP141 and was pleased to be represented at the working group.

We consider that CAP141 WGAA would better facilitate achievement of Applicable CUSC Objective (a) and should be implemented.

Our consideration of the matter

Increasing numbers of smaller generators, especially renewables, are seeking to connect to Distribution Networks Operators' (DNOs) systems to claim embedded benefits, without any desire to participate in the balancing mechanism and use the transmission system. These generators, although not connected to the transmission system, may well have an affect upon it to which they should be held account.

The Request for Statement of Works (SoW) is the formal process for the GB System Operator (GBSO) to identify if an embedded generator will affect either (or any combination of):

1. the transmission system;
2. the DNO's connection to the transmission system;
3. or whether there are some special conditions that need to be placed on generator to enable it to operate without adversely affecting the transmission system.

	<p>EDF Energy 40 Grosvenor Place Victoria, London SW1X 7EN</p>	<p>Tel +44 (0) 20 7752 2524</p>	<p>edfenergy.com</p>
<p><small>EDF Energy plc. Registered in England and Wales. Registered No. 2366852. Registered Office: 40 Grosvenor Place, Victoria, London, SW1X 7EN</small></p>			



As the generator has but a legal relationship with the DNO, it is imperative that the DNO and the GBSO communicate effectively on the generator's behalf. We believe that there are deficiencies identified by the proposer in the SoW process, which included the lack of:

- clarity of a DNO's responsibilities to act on the generator's behalf;
- information on the extent of works, (listed above).

The introduction of the Confirmation of Progression to the SoW (Exhibit V), clarifies the process and the requirement on the GBSO to provide a non binding indication of the likely works assists the developer in its consideration of whether or not to proceed the project.

Upon consideration, we believe the SoW process for embedded generators needs revising and that the WGAA should be implemented.

We hope that you will find these comments helpful.

If you have any queries please do not hesitate to contact me.

Yours sincerely,

David Scott
Electricity Regulation, Energy Branch



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Ref CAP141
Date 11th May 2007

Tel No. 01355 845208
Email: ukelectricityspoc@saic.com

Dear Beverley,

CUSC Amendment Proposal CAP141: “Clarification of the Content of a Response to a Request for a Statement of Works”

Thank you for the opportunity to respond to this consultation document. This response is submitted on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.

ScottishPower believe that the Working Group Alternative offers a more complete communications process, which will allow a more effective transfer of information between National Grid and the Distribution Network Operator, therefore furthering Objective (a) – efficiency. As such, we support the Alternative Amendment.

I hope you find these comments useful. Should you have any queries on the points raised, please feel free to contact us.

Yours sincerely

Gary Henderson

SAIC Ltd.
For and on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid

By email: Beverley.Viney@uk.ngrid.com

E.ON UK plc
Westwood Way
Westwood Business Park
Coventry
CV4 8LG
eon-uk.com

Ben Sheehy
024 7618 3381

ben.sheehy@eon-uk.com

Monday 14 May 2007

Dear Beverley,

Consultation Response: CAP141, Clarification of the Content of a Response to a Request for a Statement of Works

I write on behalf of E.ON UK to say that we welcome the opportunity to comment on Amendment Proposal CAP141. We would support the implementation of the Working Group Alternative Amendment as it would better facilitate the achievement of Applicable CUSC Objective (a) and clarify the Statement of Works process for developers planning to connect to a distribution network.

The working group built upon the Original Amendment to produce an effective solution, adding the Confirmation of Project Progression stage to the process and developing the Exhibit.

From the consultation document we note National Grid's reminder that they would have the option to amend a Statement of Works during the offer period. We accept that this feature would be used in good faith to allow for further details to be forwarded to a distribution company and a developer as they become available.

Yours sincerely,

Ben Sheehy

Trading Arrangements
Energy Wholesale

E.ON UK plc
Registered in
England and Wales
No 2366970
Registered Office:
Westwood Way
Westwood Business Park
Coventry CV4 8LG

Dear Sirs,

This response is sent on behalf of Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., and SSE Energy Supply Ltd.

In relation to the consultation concerning the report associated with the Consultation Alternative for CAP 141 "Clarification of the Content of a response to a Request for a Statement of Works" (contained within your note of 12th April 2007) whilst we have some sympathy with the intention of the Consultation (Original or Working Group Alternative) we do have concerns about two particular matters.

First, with respect to the Working Group Alternative we note that clause 6.5.5.6 and clause 6.5.5.7 state that significant impact on the GB transmission system involves either party in an expenditure of more than £10,000. We do not believe that a threshold of £10,000 is credible as it would effectively capture **all** work to the transmission system. We therefore believe that this statement should be removed from the legal drafting or, at the very least, that the level of the threshold should be reviewed.

Secondly, clauses 6.5.5.4 (Original) and 6.5.5.7 (Working Group Alternative) state that the DNO shall not energise the connection of nor permit the use of its distribution system by the generator where a request for a statement of works is deemed to be withdrawn. We believe that this requires to be redrafted to take account of a possible situation where the statement of works refers to an extension to an existing plant which is already energised.

Therefore, as drafted, we do not believe that either the Original or Working Group Alternative for CAP141 do better achieve the applicable CUSC objectives and they should not be implemented.

In addition to these comments we have a general concern about the fees being charged by National Grid as we fear they are becoming too onerous for small/medium generators and, as such, could act as a barrier to entry. We expect to return to this point at a later date.

Regards

Garth Graham
Scottish and Southern Energy plc

RWE Trading



Ms B Viney
Amendments Panel Secretary
Electricity Codes
National Grid Electricity Transmission plc
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Name John Norbury
Phone 01793 892667
E-Mail john.norbury@RWE.com

E-mail: beverley.viney@uk.grid.com

■ 14th May 2007

Dear Beverley

**Consultation Document – CUSC Amendment Proposal CAP141
Clarification of the Content of a Response to a Request for a Statement of Works**

Thanks you for the opportunity to comment on the CAP141 Consultation. The following response is provided on behalf of the RWE group of companies.

RWE was pleased to participate in the working group which considered the amendment proposal. We are supportive of the Working Group Alternative Amendment and agree that it would provide greater clarity for both distribution network operators and embedded generators regarding the process to be followed in relation to a Request for a Statement of Works. We also believe that the Working Group Alternative Amendment will provide greater clarity for Users when compared to the Original Proposed Amendment.

If you wish to discuss any aspect of our response, please do not hesitate to contact me.

Yours sincerely

By e-mail

John Norbury
Network Connections Manager

RWE Trading GmbH
Swindon Branch
Windmill Hill Business Park
Whitehill Way
Swindon SN5 6PB
United Kingdom
T +44(0)1793/87 77 77
F +44(0)1793/89 25 25
I www.rwe.com
Registered No. BR 7373
VAT Registration No.
GB 524 921 354
Advisory Board:
Harry Roels
Management:
Peter Terium (CEO)
Dr Peter Kreuzberg
Head Office:
Essen, Germany
Registered at:
Local District Court, Essen
Registered No.
HR B14327

CUSC Amendment Proposal CAP141

Clarification of the Content of a Response to a Request for a Statement of Works

These comments are made on behalf of Scottish Hydro Electric Power Distribution plc (SHEPD).

Consultation document paragraph 3.1

Paragraph 3.1(iii) of the consultation document suggests that Site Specific Requirements “at the site of connection of the Power Station” should be considered by National Grid when responding to a Request for a Statement of Works. These works are the responsibility of the User who owns or operates a Distribution System (the DNO) and, hence, would not be considered by National Grid when considering a Request for a Statement of Works.

Consultation document paragraph 4.1

SHEPD does not support the proposal to extend the existing 28 day time period for providing a Statement of Works. Such an extension would delay the process of putting together the associated distribution connection offer. The Statement of Works is an indication of works required; hence, in our opinion, it should be possible to provide this within 28 days.

Original Proposed Amendment 6.5.5.3

Working Group Alternative Amendment 6.5.5.3

The amendments propose that the DNO shall forward the Statement of Works to the Power Station as soon as reasonably practical. SHEPD agrees that the content of the Statement of Works should be passed to Power Station and this should be done as soon as is reasonably practical. However, the format and content of the information provided in the Statement of Works that is then passed to the Power Station should, in our opinion, be at the discretion of the DNO. This will allow the DNO to put in place the necessary connection offer which would contain, if applicable, any transmission related dependency.

SHEPD proposes an alternative to clause 6.5.5.3:

6.5.5.3 **The Company** will within 28 days of the submission of a **Request for a Statement of Works** respond in writing to the **User** who owns or operates a **Distribution System** with a **Statement of Works** substantially in the form of **Exhibit V**. The **User** who owns or operates a **Distribution System** shall forward such information in the Statement of Works relevant to the **Power Station** as soon as is reasonably practicable.

Working Group Alternative Amendment 6.5.5.4

Working Group Alternative Amendment (WGAA) 6.5.5.4 refers to “the appropriate fee”. It is not clear from the consultation document the fee which is referred to. Is the fee as specified in Table A, Item 15 of the Statement of Use of System Charges? If so, these fees appear excessive for the works required and could, in our opinion, be prohibitive for a small embedded power station. Furthermore, these fees are not consistent with the fees outlined in Items 3 (Embedded Generation), 7 (Addition/reduction of embedded generation) or 9 (Modifications to existing supply points and agreements). We request clarification on this from National Grid.

Working Group Alternative Amendment 6.5.5.6

WGAA 6.5.5.6 refers to a “significant impact on the GB Transmission System” and goes on to state that “such significant impact involves either party in an expenditure of more than £10,000”. This clause appears to confuse two existing CUSC terms - Material Effect and a significant system effect.

The former, Material Effect, is defined: “an effect causing **The Company** or a **Relevant Transmission Licensee** to effect any works or to alter the manner of operation of **Transmission Plant** and/or **Transmission Apparatus** at the **Connection Site** or the site of connection or a **User** to effect any works or to alter the manner of operation of its **Plant** and/or **Apparatus** at the **Connection Site** or the site of connection which in either case involves that party in expenditure of more than £10,000”.

The latter, significant system effect, is used in the definition of a Relevant Embedded Small Power Station: “an **Embedded Small Power Station** that the **User** who owns or operates the **Distribution System** to which the **Embedded Small Power Station** intends to connect reasonably believes may have a significant system effect on the **GB Transmission System**”.

In our opinion, it is inappropriate to consolidated the two terms in the way proposed. We propose the following alternatives to WGAA clauses 6.5.5.6 and 6.5.5.7 and Exhibit V:

6.5.5.6 Where **The Company** believes the **Power Station** has no significant impact on the **GB Transmission System** ~~(for avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000)~~ or the **Statement of Works** indicates that no works are required ~~nor any Site Specific Requirements are necessary~~, the **Statement of Works** completes the process required for in respect of the **Request for a Statement of Works** for the purposes of Paragraph 6.5.1(a)(i) and the **User** who owns or operates a **Distribution System** may **Energise** the connection of the **Power Station** or permit the use of its **Distribution System** by the **Power Station**.

6.5.5.7 Where **The Company** believes the **Power Station** has a significant impact on the **GB Transmission System** ~~(for avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000)~~ and the **Statement of Works** indicates that works are required ~~and/or Site Specific Requirements~~

~~are necessary~~, should the **User** who owns or operates a **Distribution System** fail to return to **The Company** a signed and completed **Confirmation of Project Progression** (together with the appropriate fee) within 90 **Business Days** from such notification under Paragraph 6.5.5.3, the **Request for a Statement of Works** shall be deemed withdrawn and the **User** who owns or operates a **Distribution System** shall not energise the connection of nor permit the use of its **Distribution System** by the **Power Station** or the extension to the Power Station that was the subject of the **Request for a Statement of Works** in the manner described in the **Request for a Statement of Works**.

(Exhibit V, paragraph 2)

We have now undertaken an initial assessment of the significance of the Project and [believe the **Power Station** has a significant impact on the **GB Transmission System** ~~(for the avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000)~~ would advise you of the following implications:-

Working Group Alternative Amendment, Exhibit V

The third from last paragraph of the exhibit for the Statement of Works allows National Grid the right to “revise any and all aspects of this Statement of Works”. While this is largely reasonable, we believe that the DNO and Power Station should also have a complementary right to consider the changes and, following a reasonable timescale, submit a further Confirmation of Project Progression.

The final paragraph of the exhibit for the Confirmation of Project Progression suggests that National Grid (as the recipient of the letter) should forward the Confirmation of Project Progression to the Power Station. This contradicts the WGAA clause 6.5.5.4 which puts the obligation on the DNO to inform the Power Station. Alternatively, SHEPD proposes that this paragraph be removed.

See also our comments on WGAA 6.5.5.6 above.

Conclusion

SHEPD supports the intention behind the proposed amendment to the CUSC. In particular, we agree that some housekeeping amendments are required and the provision of further clarification on the Request for a Statement of Works process would be useful and worthwhile.

However, for the reasons described above, SHEPD does not support the drafting of the Original Proposed Amendment (OPA) or WGAA. We propose alternative amendments, as appropriate, above.

More widely, while subject to our concerns described above we support the proposed housekeeping modifications, we believe that further industry wide discussion is required in relation to the treatment of Embedded Small Power Stations. We strongly feel that the proposals put forward go against the principle of removing the perceived barrier to entry (i.e. the administrative burden and cost) for Embedded Small Power Stations which, following the detailed work of the Regional Working Group, the <10 MW threshold was put in place to address.

This Annex includes copies of any representations received following circulation of the Consultation Alternative Document (circulated on 29th May 2007, requesting comments by close of business on 12th June 2007).

Representations were received from the following parties:

Reference	Company
CAP141-CAAR-01	British Energy Group plc
CAP141-CAAR-02	CE Electric UK
CAP141-CAAR-03	DONG Walney (UK) Ltd
CAP141-CAAR-04	Edf Energy
CAP141-CAAR-05	RWE Trading
CAP141-CAAR-06	SAIC Ltd on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.
CAP141-CAAR-07	Scottish Power Energy Networks
CAP141-CAAR-08	Scottish and Southern Energy plc on behalf Southern Electric, Keadby generation Ltd, Medway Power Ltd and SSE Energy Supply Ltd



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

12th June 2007

Dear Beverley

**British Energy response to the Consultation Alternative Document on CUSC
Amendment Proposal CAP141 'Clarification of the Content of a Response to a Request
for a Statement of Works'**

Thank you for the opportunity to comment on the issues raised in the above consultation document.

British Energy is supportive of Consultation Alternative Amendment B as we believe it would better facilitate the achievement of Applicable CUSC Objective (a) - Efficiency. We agree that it would provide greater clarity for distribution network operators and embedded generators regarding the Request for a Statement of Works.

If you wish to discuss these comments further please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise Allport', written over a light blue horizontal line.

Louise Allport
Trading Consultant
British Energy Power and Energy Trading

Tel. 01452 652187
louise.allport@british-energy.com

British Energy Group plc Barnett Way Barnwood Gloucester GL4 3RS
Telephone 01452 652222 Facsimile 01452 653715

Registered Office: Systems House, Alba Campus, Livingston EH54 7EG
Registered in Scotland No. 270184 VAT Number 671 0076 58



Your ref

Our ref

Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill,
Warwick, CV34 6DA

Network Investment

98 Aketon Road
Castleford
WF10 5DS

<http://www.ce-electricuk.com/>

tel: 01977 605920

fax: 01977 605594

e-mail: alan.creighton@ce-electricuk.com

11th June 2007

Dear Beverley,

CUSC Amendment Proposal 141 – Clarification of the Contents of a Response to a Request for a Statement of Works

I'm writing on behalf of Northern Electric Distribution Limited (NEDL) and Yorkshire Electricity Distribution plc (YEDL), the licensed electricity distributors of CE Electric UK Funding Company Ltd. This response is in relation to the Consultation Alternative Consultation Document issued on 29th May 2007.

In general, we are supportive of the proposal to provide clarification on the response to a Request for a Statement of Works, and having reviewed the two alternatives described in the document, we are of the view that Consultative Alternative Amendment B best facilitates the achievements of the applicable CUSC objectives.

There are a number of issues in the proposed legal text to give effect to Consultative Alternative Amendment B which we believe should be considered by the working group. These issues mainly relate to the need to clarify the Statement of Works process and discrepancies between CUSC 6.5.5 and Exhibit V. These are described in more detail in the attached table.

Please contact me if there are any issues arising from this letter that would benefit from further clarification.

Yours sincerely,

Sent by email 11 June 2007

Alan Creighton
Network Investment Lead Engineer

CE ELECTRIC UK FUNDING COMPANY

Registered Office: Lloyds Court, 78 Grey Street, Newcastle upon Tyne, NE1 6AF. Registered in England: 3476201

Ref	Section	Issue	Proposal
1	6.5.5.1 & 2	The terms 'connection to and / or for the use of' is not clear. If the wording is intended to cater for new connections or modified connections (increased or decreased capacity) it may be better to use these words. In the case of a customer with a CHP installation he may increase the output of the generator and increase the demand on site and thus not actually be seeking a new connection or to change his use of the distribution network – but there would still be a requirement to share with the DNO and National Grid details of the larger generator.	Revise words read:request for a new connection to or modification of the terms of use of an existing connection to that User...
2	6.5.5.3	There is a need to develop a CUSC Exhibit for a Confirmation of Project. Given that this is deemed to be a Modification Application, the details required will need to be similar.	
3	6.5.5.3	Given that the Request for a Statement of Works is triggered and funded by a generator, it is unclear when it would not be appropriate to share all the Statement of Works with the customer. It is however accepted that the proposed drafting permits this.	Review
4	6.5.5.5	It would help to identify if there are any residual parts of CUSC where the Confirmation of Project Progression is not considered to be a Modification Application	Clarification
5	6.5.5.6	Superfluous word 'for'	Revise to read:process required in respect of....
6	6.5.5.6	The definition of a Relevant Embedded Small Power Station is one that may have a 'significant system effect on the transmission system'; hence it seems reasonable that this is the test that should be applied when assessing a Request for a Statement of Works. If the assessment confirmed that the connection did not have a significant effect, the SoW would naturally indicate that no works are required. It would be helpful if there was transparency as to what constitutes a significant system effect; however it is accepted that a discussion on this aspect is likely to be beyond the scope of the Terms	Revise to read:the Power Station has no significant effect on the GB Transmission system, the Statement of Works will confirm that no works are required and issuing the Statement of Works completes the process....

Ref	Section	Issue	Proposal
		of Reference.	
7	6.5.5.6	The terminology 'extension to the power station' is confusing, as it could be interpreted as being a physical extension to the power plant rather than (presumably) increased electrical output.	Clarify wording
8	6.5.5.6	The process for submitting a revised Request for Statement of Works needs to be clarified, in particular; a) whether a new application fee is required; b) whether the previous SoW is withdrawn; including any implications for the position of a generator in any queue; c) whether this requirement is time limited e.g. does it still apply when a Confirmation of Project Progression has been signed etc.	Clarify the process for revising data
9	Exhibit U	Part D refers to the anticipated date when the Embedded Power Station will have its connection energised, whilst 6.5.5 refers to the proposed date. Consistency would be good.	Revise to read: ...provide the proposed date....
10	Exhibit V	Given the relatively short timescales involved, it would be helpful if the Statement of Works was courtesy copied to the contact people named in Section 4 of the Request for a Statement of Works (Exhibit U), in addition to being sent to the Users Company Secretary.	Include a note in the Exhibit to this effect.
11	Exhibit V Parag 1	The phrase Licence Exempt Embedded Generator is used, whilst 6.5.5 refers to Embedded Power Stations. For consistency the term Power Station should be used	Revise to read:Exempt Embedded Power Station....
12	Exhibit V Parag 1	The letter focuses on the connection of generation, whilst in 6.5.5 provision has been made for the case where the capacity / output of an existing power station is being increased.	Revise text
13	Exhibit V Parag 2	See Ref 6 above	Revise to read: ...has a significant effect on the....
14	Exhibit V Parag 2	The logic of the pro forma letter needs to be revised e.g. if the answers to i) and ii) are both No, then it's inappropriate to make the statement that 'National Grid believe the power station has a significant impact'	Review logical flow of the letter and the explanatory text.
15	Exhibit V	Clarification that Paragraph 6.5.1(a)(i) is in	Revise to read:

Ref	Section	Issue	Proposal
	Parag 3	CUSC.	...of CUSC Paragraph 6.5.1(a)(i)....
16	Exhibit V Parag 4	The pro forma letter states that the Statement of Works will lapse after 90 days, however 6.5.5.7 states that after 90 days the Request for Statement of Works will be considered to be withdrawn. Consistency would be good here.	Revise either 6.5.5.7 or Exhibit V Parag 4
17	Exhibit V Parag 7	Given that the process requires a Confirmation of Project Progression to be submitted in the required timescales, reference to Modification Application is confusing.	Revise to read: Confirmation of Project Progression will only be valid under this process if....
18	Exhibit V Parag 7	Paragraph 5 indicates that the SoW lapses after 90 days, there is no need for Parag 7 to repeat this statement. The second part of the sentence is confusing as it seems to indicate that the expiry date can be extended where the User changes some data and National Grid confirms that a revised SoW (rather than Request for SoW) is not required. Clarification is needed here as this conflicts with Exhibit V Parag 4 and 6.5.5.7 & 8.	Review and clarify
19	Exhibit V Parag 9	This paragraph should reflect 6.5.5.8 which permits National Grid not to insist on a revised Request for a SoW	Review and clarify
20	Exhibit V Parag 9	As per Exhibit V Parag 1, the paragraph doesn't cater for increased capacity at an existing power station.	Review



DONG Walney (UK) Ltd
c/o DONG Energy A/S
A. C. Meyers Vænge 9
2450 Copenhagen SV
Denmark

Tel +45 44 80 60 00
Fax +45 44 80 60 00

www.dongenergy.com

11 June 2007

Beverley Viney
Amendments Panel Secretary
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick CV34 6DA

Dear Ms Viney

Amendment Proposal CAP141: Clarification of the Content of a Response to a Request for a Statement of Works

Thank you for the opportunity to comment on the consultation on the CAP141 Consultative Alternative Amendments. This response is made by DONG Walney (UK) Ltd, the proposer of the original CAP141.

We consider that Consultative Amendment CAA-A is unnecessary and undesirable. The proposal from SHEPD removes the requirement on the DNO to forward the Statement of Works to the generator, replacing it with an obligation to forward such information in the Statement of Works as is relevant to the generator. It is unclear to us what SHEPD considers might be in a Statement of Works that is not relevant to the generator, or why it is the information in the statement, rather than the statement itself that should be forwarded. This introduces uncertainty and discretion into the process and will inevitably delay the submission of information to the generator.

We are aware that there have in the past been occasions when a Statement of Works has not been passed on to the generator for some time, and this was one of the defects in the current process that we were seeking to correct with CAP141. SHEPD say that the change will allow the DNO to put in place any necessary transmission related dependencies into the resulting connection offer; in our view there is no need to change the CUSC text to allow this, since matters between the DNO and generator are outside the CUSC arrangements and the DNO is at liberty to make its offer in a manner it sees fit. If however the generator has not seen the Statement of Works it would have no basis to challenge any alleged transmission dependencies that arise from the Request for a Statement of Works. Whilst in theory the generator could seek agreement from the DNO to pass on the Statement of Works, with no express obligation to do so it is not clear that the generator could legitimately insist on this.



We consider that Consultative Amendment CAA-B is also undesirable. It includes the removal of the obligation to forward the Statement of Works to the generator, to which we object to on the grounds above. Additionally, it removes the following text from sections 6.5.5.6 and 6.5.5.7 and Exhibit V: "(for avoidance of doubt, such significant impact involves either party in an expenditure of more than £10,000)". Our understanding from the Working Group discussions is that NGET believed that this text was superfluous, since NGET considers that the appropriate materiality test for a "significant impact" would in any event be £10,000 and would be applied when determining if the power station was having a significant impact on the transmission system. The Working Group agreed that this text should be added to make this clear, and its deletion simply removes a degree of transparency about the test that would be applied.

We would add that we believe that a £10,000 materiality test is too small a sum, and would support any review of this figure, both in connection with a "significant impact on the GB Transmission System" and in the definition of "Material Effect". However, we understood that a review of the materiality test for "significant impact" was outside the scope of CAP141 and believe it should be taken forward as a separate exercise in due course.

In summary it is the view of Dong Walney (UK) Ltd that neither CAA-A nor CAA-B better facilitates the CUSC objectives than the Original Amendment or the Working Group Alternative Amendment, and we continue to support the Working Group Alternative Amendment as the best way to remove the defects originally identified.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ivan Christiansen".

Ivan Christiansen
Senior Asset Manager

Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid [National Grid House]
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA



12th June 2007

Dear Beverley,

CUSC Amendment Proposal CAP141, Clarification of the Content of a Response to a Request for a Statement of Works

EDF Energy is pleased to have the opportunity to comment on the CUSC amendment proposal, CAP141 and was pleased to be represented at the working group.

We consider that CAP141 WGAA would better facilitate achievement of Applicable CUSC Objective (a) and should be implemented.

CAA-A and CAA-B are better than current arrangements, but not better than the WGAA.

Our consideration of the matter

Increasing numbers of smaller generators, especially renewables, are seeking to connect to Distribution Networks Operators' (DNOs) systems to claim embedded benefits, without any desire to participate in the balancing mechanism. These generators, although not connected to the transmission system, may well have an effect to which they should be held account.

The Request for Statement of Works (SoW) is the formal process for the GB System Operator (GBSO) to identify if an embedded generator will affect either (or any combination of):

1. the transmission system;
2. the DNO's connection to the transmission system;
3. or whether there are some special conditions that need to be placed on generator to enable it to operate without adversely affecting the transmission system.

	<p>EDF Energy 40 Grosvenor Place Victoria London SW1X 7EN</p>	<p>Tel +44 (0) 20 7752 2524</p>	<p>edfenergy.com</p>
<p><small>EDF Energy plc. Registered in England and Wales. Registered No. 2366852. Registered Office: 40 Grosvenor Place, Victoria, London, SW1X 7EN</small></p>			



As the generator has but a legal relationship with the DNO, it is imperative that the DNO and the GBSO communicate effectively on the generator's behalf. We believe that there are deficiencies identified by the proposer in the SoW process, which included the lack of:

- clarity of a DNO's responsibilities to act on the generator's behalf;
- information on the extent of works, (listed above).

The introduction of the Confirmation of Progression to the SoW (Exhibit V), clarifies the process and the requirement on the GBSO to provide a non binding indication of the works assists the developer in its consideration of whether or not to proceed with the project.

The consultation alternative amendments (CAAs) proposed by SHEPD aim to:

- provide the DNO with the opportunity to express the statement of works in its own format (both CAA-A and CAA-B);
- remove the reference to a value of £10,000 (CAA-B only).

We consider that the key defect had been solved with the WGAA, principally through the Confirmation of Progression and the non-binding indication of likely works. Both the CAA-A and B are better than current arrangements as they incorporate such elements of WGAA.

However, we can see no reason for the DNO not to forward on a Statement of Works to the generator. It is more transparent for a generator to receive such documentation directly. Only then can it see how the DNO and GBSO are fulfilling their CUSC obligations.

One working group member wanted a 'test' on the works by using the term 'Material Effect'. NGET advised the term should not be used, as it is in reference to a connection point on the transmission system. If 'Material Effect' was used rather than '£10,000', the generator would not fall under the legal drafting as:

- the SoW process assesses whether the embedded generator may have an affect on the wider system, not just the connection point;
- the embedded generator is not directly connected to the transmission system.

This (sensible) intention should provide some consistency between arrangements for transmission and distribution connected generation. We would expect any revision to 'Material Effect' in the CUSC be matched with a change to 6.5.5.6, 6.5.5.7 and Exhibit V.

Upon consideration, we believe the SoW process for embedded generators needs revising and the WGAA should be implemented.

We hope that you will find these comments helpful.

If you have any queries please do not hesitate to contact me.

Yours sincerely,

David Scott
Electricity Regulation, Energy Branch

RWE Trading



Ms B Viney
Amendments Panel Secretary
Electricity Codes
National Grid Electricity Transmission plc
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Name John Norbury
Phone 01793 892667
E-Mail john.norbury@RWE.com

E-mail: beverley.viney@uk.grid.com

12th June 2007

Dear Beverley

**Consultation Alternative Consultation Document – CUSC Amendment Proposal CAP141
Clarification of the Content of a Response to a Request for a Statement of Works**

Thank you for the opportunity to comment on the CAP141 Consultation Alternative Consultation. The following response is provided on behalf of the RWE group of companies.

RWE was pleased to participate in the working group which considered the original amendment proposal. We remain supportive of the Working Group Alternative Amendment (WGAA) and believe that it would better facilitate the Applicable CUSC Objectives in terms of providing greater clarity for both distribution network operators and embedded generators regarding the process to be followed in relation to a Request for a Statement of Works.

Consultation Alternative Amendment A (CAA-A)

This CAA-A is based on the Original Proposal but proposes that the network operator should only be required to forward part of the Statement of Works to the embedded generator.

A Request for a Statement of Works would be submitted by the network operator only in response to a request for connection by an embedded generator and a Statement of Works would be issued by National Grid only in response to this request. We are therefore unable to understand the circumstances that would justify the network operator, at its discretion, withholding part of the Statement of Works from the embedded generator. Given that the Original Proposal was raised in order to provide greater clarity for Users, we do not believe that this CAA-A facilitates the Applicable CUSC Objectives when compared to the Original Amendment.

RWE Trading GmbH
Swindon Branch

Windmill Hill Business Park
Whitehill Way
Swindon SN5 6PB
United Kingdom

T +44(0)1793/87 77 77
F +44(0)1793/89 25 25
I www.rwe.com

Registered No. BR 7373

VAT Registration No.
GB 524 921354

Advisory Board:
Harry Roels

Management:
Peter Terium (CEO)
Dr Peter Kreuzberg

Head Office:
Essen, Germany
Registered at:
Local District Court, Essen
Registered No.
HR B 14327

Consultation Alternative Amendment B (CAA-B)

This CAA-B is based on the Working Group Alternative but, as for CAA-A, does not require the network operator to forward the Statement of Works to the embedded generator. We do not accept the proposal that the network operator should be entitled to withhold part of the Statement of Works from the embedded generator for the reasons given under CAA-A.

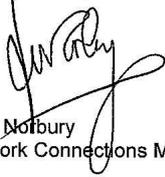
CAA-B also proposes to remove the materiality test proposed under the WGAA Clause 6.5.5.6 to determine whether a Confirmation of Project Progression would be required as a result of a Request for a Statement of Works. The materiality test included within the WGAA is a key element intended to mirror the materiality test given in the CUSC used to determine whether a Modification Application would be required to permit works to be carried out by either National Grid or a User (refer to CUSC definition of Modification and Clause 6.9); it is for this reason that the proposed threshold is £10,000. In removing this materiality test, the requirement for a Confirmation of Project Progression or deemed modification application in response to a Statement of Works would be discretionary in favour of National Grid and leave the embedded generator disadvantaged when compared to the treatment of transmission connected generation. We therefore do not believe that this CAA-B facilitates the Applicable CUSC Objectives when compared to the WGAA.

We note that National Grid agrees with the Proposer regarding CAA-B. However, we consider that the discretionary benefit afforded National Grid by this CAA-B does not sufficiently offset the increased uncertainty and lack of clarity for the embedded generator when compared to the WGAA.

We also note that the Proposer believes that certain aspects of WGAA need to be fully debated by the industry. It is our view that these aspects have already been fully debated by the working group.

If you wish to discuss any aspect of our response, please do not hesitate to contact me.

Yours sincerely



John Nofbury
Network Connections Manager



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Ref CAP141 Alternative
Date 4th June 2007

Tel No. 01355 845208
Email: ukelectricityspoc@saic.com

Dear Beverley,

CUSC Alternative Amendment Proposal CAP141: “Clarification of the Content of a Response to a Request for a Statement of Works”

Thank you for the opportunity to respond to this consultation document. This response is submitted on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.

Having reviewed all of the Consultation Alternative Amendments, ScottishPower do not believe that either of the stated amendments better achieve the applicable CUSC Objectives. Our preference remains for the Working Group Alternative for the reasons stated in our response to the original consultation.

I hope you find these comments useful. Should you have any queries on the points raised, please feel free to contact us.

Yours sincerely

Gary Henderson

SAIC Ltd.
For and on behalf of ScottishPower Energy Wholesale, which includes the UK energy businesses of ScottishPower, namely ScottishPower Energy Management Ltd, ScottishPower Generation Ltd and ScottishPower Energy Retail Ltd.



Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Network Investment

Your ref.

Our Ref

Date

12 Jun 2007

Contact / Extension

Paul McGimpsey /
01698-413174

**Consultation Alternative Consultation Document
CUSC Amendment Proposal CAP141
Clarification of the Content of a Response to a Request for a Statement of Works**

Dear Beverley,

Thank you for the opportunity to respond to Consultation Document CAP141. This response is submitted on behalf of ScottishPower Energy Networks (SPEN), which includes the licensed distribution network owning businesses SP Distribution Limited and SP Manweb PLC.

SPEN is supportive of both Consultation Alternative Amendment A and B, the adoption of which will, in our opinion, enable the Applicable CUSC Objectives (a) and (b) to be better met.

In relation to CAA – A, SPEN agrees that the proposed amendment will provide the User who owns and operates the Distribution System with the flexibility it needs to decide what elements of the Statement of Works should be forwarded on to the Power Station in circumstances where elements of the Statement of Works pertain solely to the User.

In relation to CAA – B, SPEN agrees that the proposed amendment is necessary to remove an inappropriate consolidation of terms that would only seek to hinder future connections. Finally, SPEN agrees that clarity is improved by the proposed amendment to CUSC 6.5.5.7.



New Alderston House, Dove Wynd, Strathclyde Business Park, Bellshill ML4 3FF
Telephone 01698 413000 Fax 01698 413070

SP Power Systems Limited Registered Office: 1 Atlantic Quay Glasgow G2 8SP
Registered in Scotland No. 215841 Vat No. GB 659 3720 08

01020951

Please do not hesitate to contact me with any queries on the points raised.

Yours sincerely,



Paul McGimpsey
Senior Commercial Analyst

Dear Sirs,

This response is sent on behalf of Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., and SSE Energy Supply Ltd.

In relation to the consultation concerning the report associated with the Consultation Alternative for CAP 141 "Clarification of the Content of a response to a Request for a Statement of Works" (contained within your note of 29th May 2007) we agree with the initial view of National Grid that Consultation Alternative Amendment B would better facilitate the achievement of the Applicable CUSC Objectives.

Kind Regards

**Rhona McLaren
on behalf of**

**Garth Graham
Scottish and Southern Energy plc**

**ANNEX 4 – REPRESENTATIONS RECEIVED UPON THE DRAFT
AMENDMENT REPORT**

This Annex includes copies of any representations received following circulation of the Draft Amendment Report (circulated on [date], requesting comments by close of business on [date]).

Representations were received from the following parties:

No.	Company	File Number
1	CE Electric UK	CAP141-AR-01



Your ref

Our ref

Beverley Viney
Amendments Panel Secretary
Electricity Codes
National Grid
National Grid House
Warwick Technology Park
Gallows Hill,
Warwick, CV34 6DA

Network Investment

98 Aketon Road
Castleford
WF10 5DS

<http://www.ce-electricuk.com/>

tel: 01977 605920

fax: 01977 605594

e-mail: alan.creighton@ce-electricuk.com

6th July 2007

Dear Beverley,

CUSC Amendment Proposal 141 – Clarification of the Contents of a Response to a Request for a Statement of Works

I'm writing on behalf of Northern Electric Distribution Limited (NEDL) and Yorkshire Electricity Distribution plc (YEDL), the licensed electricity distributors of CE Electric UK Funding Company Ltd. This response is in relation to the consultation on the Draft Amendment report issued on 3rd July 2007.

Thank you for including my comments on the draft legal text required to give effect to Consultative Alternative Amendment B, together with National Grids response to them.

In terms of accurately capturing the previous response from CE Electric UK, I think it would be reasonable to revise the appropriate text in the table in section 10.6 to read 'CE Electric UK raised a number of issues with the proposed legal text required to give effect to Consultative Alternative Amendment B. These are presented in Annex 5 of this report together with National Grids response to those issues. CE Electric UK is unable to support either of the two Consultative Alternative Amendments.'

Please contact me if there are any issues arising from this letter that would benefit from further clarification.

Yours sincerely,

Sent by email 6th July 2007

Alan Creighton
Network Investment Lead Engineer

CE ELECTRIC UK FUNDING COMPANY

Registered Office: Lloyds Court, 78 Grey Street, Newcastle upon Tyne, NE1 6AF. Registered in England: 3476201

Annex 5 – Responses to legal text concerns raised at Consultation Alternative stage

CE Electric UK have raised a number of issues in the proposed legal text to given effect to CAA-B which they believed should be considered by the Working Group. However, the CUSC process does not allow for an Amendment to go back to Working Group once the Consultation period has closed nor does it allow changes to be made to the legal text.

In attempt to address CE Electric's concerns each point is addressed in turn below:

Ref	Section	Issue	Proposal	National Grid's response
1	6.5.5.1 & 2	The terms 'connection to and / or for the use of' is not clear. If the wording is intended to cater for new connections or modified connections (increased or decreased capacity) it may be better to use these words. In the case of a customer with a CHP installation he may increase the output of the generator and increase the demand on site and thus not actually be seeking a new connection or to change his use of the distribution network – but there would still be a requirement to share with the DNO and National Grid details of the larger generator.	Revise words read:request for a new connection to or modification of the terms of use of an existing connection to that User...	The proposed legal text uses existing baseline drafting – If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment
2	6.5.5.3	There is a need to develop a CUSC Exhibit for a Confirmation of Project. Given that this is deemed to be a Modification Application, the details required will need to be similar.		Exhibit U – the Application form for a Statement of Works is based on a Modification Application and a new exhibit is not required because the Application form provides the majority of the required information.
3	6.5.5.3	Given that the Request for a Statement of Works is triggered and funded by a generator, it is unclear when it would not be appropriate to share all the Statement of Works with the customer. It is however accepted that the proposed drafting permits this.	Review	See comments in the main document of this report

Ref	Section	Issue	Proposal	National Grid's response
4	6.5.5.5	It would help to identify if there are any residual parts of CUSC where the Confirmation of Project Progression is not considered to be a Modification Application	Clarification	This is not required as it is a new process developed for CAP141
5	6.5.5.6	Superfluous word 'for'	Revise to read:process required in respect of....	Housekeeping change would be required
6	6.5.5.6	The definition of a Relevant Embedded Small Power Station is one that may have a 'significant system effect on the transmission system'; hence it seems reasonable that this is the test that should be applied when assessing a Request for a Statement of Works. If the assessment confirmed that the connection did not have a significant effect, the SoW would naturally indicate that no works are required. It would be helpful if there was transparency as to what constitutes a significant system effect; however it is accepted that a discussion on this aspect is likely to be beyond the scope of the Terms of Reference.	Revise to read:the Power Station has no significant effect on the GB Transmission system, the Statement of Works will confirm that no works are required and issuing the Statement of Works completes the process....	National Grid believes the proposed amendment already addresses this issue. See comments in the main document of this report
7	6.5.5.6	The terminology 'extension to the power station' is confusing, as it could be interpreted as being a physical extension to the power plant rather than (presumably) increased electrical output.	Clarify wording	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment
8	6.5.5.6	The process for submitting a revised Request for Statement of Works needs to be clarified, in particular; a) whether a new application fee is required; b) whether the previous SoW is withdrawn; including any implications for the position of a generator in any queue; c) whether this requirement is time limited e.g. does it still apply when a Confirmation of Project Progression has been	Clarify the process for revising data	

Ref	Section	Issue	Proposal	National Grid's response
		signed etc.		
9	Exhibit U	Part D refers to the anticipated date when the Embedded Power Station will have its connection energised, whilst 6.5.5 refers to the proposed date. Consistency would be good.	Revise to read:provide the proposed date....	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising a new CUSC Amendment
10	Exhibit V	Given the relatively short timescales involved, it would be helpful if the Statement of Works was courtesy copied to the contact people named in Section 4 of the Request for a Statement of Works (Exhibit U), in addition to being sent to the Users Company Secretary.	Include a note in the Exhibit to this effect.	This is a process issue for National Grid and not relevant for the generic templates within the CUSC
11	Exhibit V Parag 1	The phrase Licence Exempt Embedded Generator is used, whilst 6.5.5 refers to Embedded Power Stations. For consistency the term Power Station should be used	Revise to read:Exempt Embedded Power Station....	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising a new CUSC Amendment
12	Exhibit V Parag 1	The letter focuses on the connection of generation, whilst in 6.5.5 provision has been made for the case where the capacity / output of an existing power station is being increased.	Revise text	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising a new CUSC Amendment
13	Exhibit V Parag 2	See Ref 6 above	Revise to read:has a significant effect on the....	National Grid believes the proposed amendment already addresses this issue. See comments in the main document of this report
14	Exhibit V Parag 2	The logic of the pro forma letter needs to be revised e.g. if the answers to i) and ii) are both No, then it's inappropriate to make the statement that 'National Grid believe the power station has a significant impact'	Review logical flow of the letter and the explanatory text.	This is a process issue for National Grid and not relevant for the generic templates within the CUSC
15	Exhibit V Parag 3	Clarification that Paragraph 6.5.1(a)(i) is in CUSC.	Revise to read:of CUSC Paragraph 6.5.1(a)(i)....	This is a process issue for National Grid and not relevant for the generic templates within the CUSC
16	Exhibit V Parag 4	The pro forma letter states that the Statement of Works will lapse after 90 days, however 6.5.5.7 states that after 90 days	Revise either 6.5.5.7 or Exhibit V Parag 4	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should

Ref	Section	Issue	Proposal	National Grid's response
		the Request for Statement of Works will be considered to be withdrawn. Consistency would be good here.		consider raising an new CUSC Amendment
17	Exhibit V Parag 7	Given that the process requires a Confirmation of Project Progression to be submitted in the required timescales, reference to Modification Application is confusing.	Revise to read: Confirmation of Project Progression will only be valid under this process if....	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment
18	Exhibit V Parag 7	Paragraph 5 indicates that the SoW lapses after 90 days, there is no need for Parag 7 to repeat this statement. The second part of the sentence is confusing as it seems to indicate that the expiry date can be extended where the User changes some data and National Grid confirms that a revised SoW (rather than Request for SoW) is not required. Clarification is needed here as this conflicts with Exhibit V Parag 4 and 6.5.5.7 & 8.	Review and clarify	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment
19	Exhibit V Parag 9	This paragraph should reflect 6.5.5.8 which permits National Grid not to insist on a revised Request for a SoW	Review and clarify	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment
20	Exhibit V Parag 9	As per Exhibit V Parag 1, the paragraph doesn't cater for increased capacity at an existing power station.	Review	National Grid believes this is appropriate. If CE Electric believe the drafting is unclear they should consider raising an new CUSC Amendment