

Workgroup Terms of Reference and Membership

TERMS OF REFERENCE FOR CMP350 WORKGROUP

CMP350 - 'Changes to the BSUoS Covid Support Scheme'

Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modifications Panel in the evaluation of CUSC Modification Proposal CMP350 'Changes to the BSUoS Covid Support Scheme'
2. The proposal must be evaluated to consider whether it better facilitates achievement of the CUSC Objectives. These can be summarised as follows:

Applicable CUSC Objectives (Charging)

- a) That compliance with the use of system charging methodology facilitates effective competition in the generation and supply of electricity and (so far as is consistent therewith) facilitates competition in the sale, distribution and purchase of electricity;
 - b) That compliance with the use of system charging methodology results in charges which reflect, as far as is reasonably practicable, the costs (excluding any payments between transmission licensees which are made under and accordance with the STC) incurred by transmission licensees in their transmission businesses and which are compatible with standard licence condition C26 requirements of a connect and manage connection);
 - c) That, so far as is consistent with sub-paragraphs (a) and (b), the use of system charging methodology, as far as is reasonably practicable, properly takes account of the developments in transmission licensees' transmission businesses;
 - d) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency. These are defined within the National Grid Electricity Transmission Plc Licence under Standard Condition C10, paragraph 1 *; and
 - e) Promoting efficiency in the implementation and administration of the CUSC arrangements.
3. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

Scope of work

4. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the CUSC Objectives.
5. In addition to the overriding requirement of paragraph 4, the Workgroup shall consider and report on the following specific issues:
 - a) Noting that CMP345 introduced a £15/MWh cap for BSUoS, consider whether or not the revised proposed £5/MWh cap for BSUoS is more appropriate to provide protection against exceptional BSUoS charges;
 - b) Noting that the Covid BSUoS support scheme introduced by CMP345 expires on 31 August 2020, consider whether or not to extend it and if so to what date; and
 - c) Noting that Ofgem's CMP345 decision¹ indicated that they would review if the level of BSUoS costs being deferred approaches £100m, consider whether or not it is appropriate to include a formal limit of £100m to the amount of Covid BSUoS costs which can be deferred.
6. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.
7. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives, as compared with the Modification Proposal or the current version of the CUSC. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.
8. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.
9. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.
10. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be for a period of **2 working days** as determined by the Modifications Panel.
11. Following the Consultation period the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an assessment of any WG Consultation Alternative Request, the Workgroup should consider whether

¹ From CMP345 Ofgem Decision Letter of 23 June 2020 "Nonetheless, we recognise that there is a limit to the amount of liquidity that can be provided by NGESO, under current arrangements. With this in mind, we think it would be efficient and appropriate, should the level of BSUoS costs being deferred approach £100m, to consider further how to mitigate the NGESO's exposure."

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it better facilitates the Applicable CUSC Objectives than the current version of the CUSC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairman has exercised his right under the CUSC to progress a WG Consultation Alternative Request or a WACM against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairman is employed by the same organisation who submitted the WG Consultation Alternative Request.

12. The Workgroup is to submit its final report to the Modifications Panel Secretary on **30 July 2020** for circulation to Panel Members. The final report conclusions will be presented to the CUSC Modifications Panel meeting on **31 July 2020**.

Membership

13. It is recommended that the Workgroup has the following members:

Role	Name	Representing (User nominated)	Percentage of meetings attended
Chair	Paul Mullen	Code Administrator	
Technical Secretary	Ren Walker	Code Administrator	
National Grid ESO Representative*	Grahame Neale (Alternate: Jenny Doherty)	National Grid ESO	
Workgroup Member and Proposer	George Moran (Alternate: Andy Manning)	Centrica	
Workgroup Member	Garth Graham (Alternate: Andy Colley)	SSE Generation Limited	
Workgroup Member	Grace March	Sembcorp	
Workgroup Member	Bill Reed	RWE	
Workgroup Member	Grace March	Sembcorp	
Workgroup Member	Bill Reed	RWE	
Workgroup Member	Paul Jones	Uniper	
Workgroup Member	Paul Mott (Alternate: Simon Vicary)	EDF Energy	
Workgroup Member	Joshua Logan (Alternate: Paul Youngman)	Drax Power	
Workgroup Member	Graz MacDonald	Virdis 178 Ltd	
Workgroup Member	Joe Dunn	Scottish Power Renewables	
Workgroup Member	Kate Dooley	ESBI	
Workgroup Member	Lisa Waters (Alternate: John Harmer)	Waters Wye	
Workgroup Member	Matthew Cullen	E.ON UK	
Workgroup Member/Observer	Damian Clements	Yorkshire Energy	
Observer	Matthew Deitz	Energy UK	
Authority Observer	Lynda Carroll	Ofgem	

NB: A Workgroup must comprise at least 5 members (who may be Panel Members). The roles identified with an asterisk (*) in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

14. The chairman of the Workgroup and the Modifications Panel Chairman must agree a number that will be quorum for each Workgroup meeting. The agreed figure for

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CMP350 is that at least 5 Workgroup members must participate in a meeting for quorum to be met.

15. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference). The Workgroup chairman shall not have a vote, casting or otherwise. There may be up to three rounds of voting, as follows:
 - Vote 1: whether each proposal better facilitates the Applicable CUSC Objectives;
 - Vote 2: where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal;
 - Vote 3: which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC baseline as an option.

The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.

16. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairman at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.
17. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.
18. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.
19. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.