

## User Panel Members – Alternate(s)

### A note to the CUSC Amendments Panel meeting, 25<sup>th</sup> September 2009

At the meeting of the CUSC Amendments Panel on 31<sup>st</sup> July 2009, National Grid took an action to: *"look at the current provisions within the CUSC regarding Alternates at CUSC Panel Meetings and clarify this position"* (action 2076).

Please find below a summary of the CUSC provisions relating to alternates, some points worth noting and a number of options relating to these provisions.

### CUSC Provisions

#### ***CUSC 8.6.2 – appointment of alternates***

- A Panel Member may appoint an Alternate Member to be alternate for any one panel meeting, by giving notice to the Panel Secretary
- A Panel Member must first choose an Alternate Member not already chosen by another Panel Member
- If there are no Alternate Members left who have not already been chosen, the Panel Member may choose any Alternate Member or Panel Member not already acting as alternate **for more than one** Panel Member

#### ***CUSC 8.6.4 – notification of alternates***

- The Panel Secretary shall promptly notify all Panel Members and CUSC Parties of appointments (or removal) by any Panel Members of alternates and publish on the Company's website
- An alternate may act as alternate for more than one Panel Member

#### ***CUSC 8.6.5 – rights of alternates***

- An alternate shall cast one vote for each Panel Member by whom appointed (in addition to own vote where a Panel Member)
- Outlines the rights of an alternate (effectively the same as a Panel Member)

#### ***CUSC 8.9 – quorum***

- A quorum shall be six Panel Members who have a vote present in person or by their alternates (at least one of which appointed by the Company)

### Points to Note

- There is no requirement for Panel Members to appoint alternates (Panel members may choose to do so)
- The number of alternate appointments are limited to two per Alternate Member or Panel Member
  - There is no requirement to first appoint a Panel Member not already appointed as another member's alternate (once all Alternate Members have been appointed). Should this be best practice?

- There is no explicit statement of whether an alternate must represent their view or the views of the Panel Member
  - Normal practice has been for the alternate to obtain the Panel Member views, then make their own mind up based on the panel meeting discussion
  - Does this need to be explicitly stated?
- Notification of alternates to be given to the Panel Secretary
  - Current practice is to request this in writing, should this be specified in the CUSC?
- Notification of alternates to be given to the CUSC Panel and CUSC Parties by the Panel Secretary
  - Currently only detailed following the panel meeting
  - Should this be done prior to the panel meeting?
  - If so, when should this be done? (as notification can be received at different times)
- Panel Meeting referenced in 8.6.2 (c) in relation to alternates is not a defined term

### **Options**

- Leave CUSC provisions as currently
- Prepare a best practice note for the interpretation of the CUSC provisions
- Consider requirement for an Amendment Proposal via the Governance Standing Group
- Discuss requirements for an Amendment Proposal at future Panel meeting, with National Grid to progress