

## **Workgroup Terms of Reference and Membership**

### **TERMS OF REFERENCE FOR CAP189 WORKGROUP**

#### **RESPONSIBILITIES**

1. The Workgroup is responsible for assisting the CUSC Modifications Panel in the evaluation of CUSC Modification Proposal CAP189 Standard Gas Insulated Switchgear Ownership Boundaries tabled by National Grid Electricity Transmission plc at the Modifications Panel meeting on 30<sup>th</sup> July 2010.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives. These can be summarised as follows:
  - (a) the efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence; and
  - (b) facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity.
3. It should be noted that additional provisions apply where it is proposed to modify the CUSC amendment 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 Applicable CUSC Objectives.
5. In addition to the overriding requirement of paragraph 4, the Workgroup shall consider and report on the following specific issues:
  - a) Review the Illustrative Legal text
  - b) Consider any Alternative CUSC Modification Proposals
  - c) Consider whether proposals for GIS should apply to existing GIS assets (in addition to future connection assets)
6. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modification Proposals (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 3 weeks 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 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 26<sup>th</sup> April 2011 for circulation to Panel Members. The final report conclusions will be presented to the Modification Panel meeting on 6<sup>th</sup> May 2011.

## MEMBERSHIP

13. The Workgroup has the following members:

<b>Role</b>	<b>Name</b>	<b>Representing</b>
Chair	Alex Thomason	
National Grid Representative	Tom Ireland	National Grid
Industry Representatives	Leonida Bandura	E.On
	Paul Mott/John Morris	EDF Energy
	Alan Creighton	CE Electric
	John Norbury	RWE
Authority Representative		
Technical Secretary	Thomas Derry	National Grid
Observers		

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 CAP189 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.

**RELATIONSHIP WITH MODIFICATIONS PANEL**

20. The Workgroup shall seek the views of the Modification Panel before taking on any significant amount of work. In this event the Workgroup chairman should contact the Modifications Panel Secretary.
21. The Workgroup shall seek the Modifications Panel's advice if a significant issue is raised during the Consultation process which would require a second period of Consultation in accordance with 8.20.17 of the CUSC.
22. Where the Workgroup requires instruction, clarification or guidance from the Modifications Panel, particularly in relation to their Scope of Work, the Workgroup chairman should contact the Modifications Panel Secretary.

**MEETINGS**

23. The Workgroup shall, unless determined otherwise by the Modifications Panel, develop and adopt its own internal working procedures and provide a copy to the Panel Secretary for each of its Modification Proposals.

**REPORTING**

24. The Workgroup chairman shall prepare a final report to the December 2010 Modification Panel responding to the matters set out in the Terms of Reference, including all Workgroup Consultation Responses and Alternative CUSC Modification Requests.
25. A draft Workgroup Report must be circulated to Workgroup members with not less than five Business Days given for comments, unless all Workgroup members agree to three Business Days.
26. Any unresolved comments within the Workgroup must be reflected in the final Workgroup Report.
27. The chairman (or another member nominated by him) will present the Workgroup report to the Modifications Panel as required.

**Appendix 1: Indicative Workgroup Timeline**

30 July 2010	First CUSC Panel Meeting (agree Workgroup Terms of Reference)
28 September 2010	First Workgroup meeting
14 February 2011	Second Workgroup Meeting
24 February 2011	Draft Workgroup Consultation for comment
4 March 2011	Publish Workgroup Consultation
25 March 2011	Deadline for responses on Workgroup Consultation
4 April 2011	Post-Consultation Workgroup meeting
12 April 2011	Draft Workgroup Report circulated for comment
19 April 2011	Deadline for comment on Workgroup report
26 April 2011	Publish final Workgroup report for Panel Papers
6th May 2011	Second CUSC Panel Meeting (present Workgroup report)
10 May 2011	Issue industry consultations
24 May 2011	Deadline for industry responses
31 May 2011	Draft Modification Report published for industry comment
7 June 2011	Deadline for industry comment
16 June 2011	Circulate draft Modification Report with Panel Papers
24 June 2011	Final CUSC Panel Meeting (Panel Recommendation Vote)
27 June 2011	Recirculate report for Panel Member comments
4 July 2011	Send final Modification Report to Authority
8 August 2011	Indicative Authority decision (25 Working Day KPI)
22 August 2011	Indicative implementation date (10 Working Days following decision)