

# CMP198 Proposer Ownership of CUSC Modification Proposals



CUSC Panel - 27<sup>th</sup> May 2011  
Steven Lam

## Background

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- Recommendation under the Code Administrator Working Group (CAWG)
- Code Administration Code of Practice (CACOP)  
Principle 6 applies to concept of Proposer Ownership
- CAP185 introduced the requirement to recognise the CACOP and amended the CUSC to clarify when the Proposer can withdraw their Modification Proposal

## Summary of Defect

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- Currently a proposal is developed by Workgroup, so the Proposer effectively loses control of their proposal and has no greater influence on its development than any other Workgroup member.
- The proposal could be taken in a direction never intended by the Proposer or be amended contrary to their wishes.
- To rectify this the Proposer may feel they have to withdraw the proposal or raise an Alternative, which is inefficient to the process.
- Minor changes to legal text cannot be made after the CA Consultation and another proposal has to be raised to deal with any errors. This conflicts with Principle 9 of the CACOP.

## Proposed CUSC Modification

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- Proposer can vary their proposal up to the point of the Workgroup vote
- Where there is no Workgroup the right to vary lapses prior to the CA consultation being issued.
- The Workgroup Report and final Modification Report must contain the description of and reasons for any variations made during the course of the CUSC Modification Proposal.
- Allow minor corrections to legal text as agreed by the Panel which will enhance efficiency of the process.

# Justification against Applicable CUSC Objectives

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- A) Efficient discharge of Act and Licence obligations
  - CMP198 would enhance consistency as required by the Code of Practice which stipulates that a common Modification process should be adopted across the electricity codes and will also adhere to the Licence requirement to establish and operate procedures for modification of the CUSC.
- B) Facilitating effective competition
  - CMP198 would provide the Proposer with confidence that their original proposal and solution is only modified in a way that is consistent with their intentions. This would encourage more parties to raise proposals and encourage participation in the process which would have the effect of promoting competition.

# Code Administrator Proposed Progression

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- The Panel is asked to:
  - AGREE the establishment of a Workgroup to develop the proposal

# Proposed Timetable

<b>23 June 2011</b>	<b>Workgroup meeting</b>
<b>28 June 2011</b>	<b>Issue draft Workgroup Consultation for Workgroup comment (5 days)</b>
<b>5 July 2011</b>	<b>Deadline for comments on draft Workgroup Consultation</b>
<b>8 July 2011</b>	<b>Publish Workgroup consultation (for 3 weeks)</b>
<b>29 July 2011</b>	<b>Deadline for responses to Workgroup consultation</b>
<b>3 Aug 2011</b>	<b>Post-consultation Workgroup meeting</b>
<b>5 Aug 2011</b>	<b>Circulate draft Workgroup Report</b>
<b>12 Aug 2011</b>	<b>Deadline for comment on Workgroup report</b>
<b>18 Aug 2011</b>	<b>Submit final Workgroup report to Panel Secretary</b>
<b>26 Aug 2011</b>	<b>Present Workgroup report to CUSC Modifications Panel</b>

## Questions?

