

CMP254 'Addressing discrepancies in disconnection/de-energisation remedies'



CUSC Panel – 18th January 2016
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Proposed CUSC Modification

- CMP254 was raised by EDF Energy and was submitted to the CUSC Modifications Panel for their consideration on 30th October 2015.
- Seeks to bring the CUSC in line with the DCUSA in regards to Supplier's rights under their Supply Contract and the Electricity Act 1989 to disconnect an indebted customer.
- The Panel agreed with the Proposers request that the Proposal be developed and assessed against the CUSC Applicable Objectives in accordance with an urgent timetable. This request for 'urgency' was however rejected by Ofgem who instead recommended that the Workgroup follow an accelerated timetable.

Workgroup Consultation

- Six responses were received to the Consultation and were considered by the Workgroup.
- Responses were generally supportive to the proposed solution.
- Five alternatives were raised by the Workgroup.

Proposed options

- **Original Proposal:** Aims to bring the CUSC in line with the DCUSA in regards to Supplier's rights under their Supply Contract and the Electricity Act 1989 to disconnect an indebted customer.
- **WACM1:** De-energisation/re-energisation text with additional National Grid's proposed indemnity wording allowing Grid to not proceed with de-energisation for technical or other reasons. The indemnity from the SO to the Supplier in the Original is removed.
- **WACM2:** De-energisation/re-energisation text modified to limit the circumstances that the SO can reject or delay a de-energisation instruction to technical matters, with indemnity text in both directions (SO to Supplier, Supplier to SO), but with indemnities between Supplier and National Grid capped at £5m each way.
- **WACM3:** The Original with an additional process of up to about a week to identify and liaise with Downstream Customers, where there are any, prior to de-energisation to consider possible alternative solutions.
- **WACM4:** WACM1 with the Downstream Customer process.
- **WACM5:** WACM2 with the Downstream Customer process.

Workgroup vote

- The Workgroup voted on the Original Proposal and the five WACMs against the CUSC objectives.
- Half of the Workgroup voted that WACM4 best facilitates the CUSC objectives and should be implemented.
- The Original Proposal, WACM3 and WACM5 each received one vote each as best facilitating the CUSC objectives.

Workgroup Conclusions

- Terms of Reference have been met.
- Proposed legal text agreed by the Workgroup.
- Implementation proposed as 10 working days after Authority decision.

Next Steps

- The Panel is invited to:
 - Accept the Workgroup Report
 - Agree for CMP254 to progress to Code Administrator Consultation

Proposed Timetable

19th January 2016	Issue CA Consultation (10 Working days)
2nd February 2016	CA Consultation closes
3rd February 2016	Issue draft FMR to industry for comment
4th February 2016	Deadline for comment
5th February 2016	Draft FMR issued to CUSC Panel
8th February 2016	CUSC Panel Recommendation vote
9th February 2016	Deadline for Panel comment
10th February 2016	Final report to Authority for decision
16th March 2016	Indicative Authority Decision due
30th March 2016	Implementation Date