

Code Administrator Consultation

CMP380: Making the CUSC Gender Neutral

Overview: To remove any gender specific references or terminology within the CUSC.

Modification process & timetable



Status summary: We are now consulting on this proposed change.

This modification is expected to have a: Low impact

No parties should be impacted by these minor, non-material changes.

Governance route	Self-Governance modification to proceed to Code Administrator Consultation. The CUSC Panel will make the decision on whether it should be implemented.	
Who can I talk to about the change?	Proposer: Shazia Akhtar Shazia.Akhtar2@nationalgrideso.com 07787266972	Code Administrator Contact: Paul Mullen paul.j.mullen@nationalgrideso.com 07794537028
How do I respond?	Send your response proforma to cusc.team@nationalgrideso.com by 5pm on 7 January 2022.	

Contents

Contents	2
What is the issue?	3
Why change?	3
What is the proposer's solution?	3
Draft legal text	3
What is the impact of this change?	3
Proposer's assessment against CUSC Non-Charging Objectives	3
Proposer's assessment of the impact of the modification on the stakeholder / consumer benefit categories	4
When will this change take place?	4
Implementation date	4
Date decision required by	5
Implementation approach	5
Interactions	5
How to respond	5
Code Administrator consultation questions	5
Acronyms, key terms, and reference material	6
Reference material	6
Annexes	6

What is the issue?

This modification is seeking to remove any gender specific references or terminology within the CUSC and make it Gender Neutral.

Why change?

These changes will have a positive impact, as they will remove any gender bias, inequality, and discrimination within the CUSC. They will also acknowledge diversity and convey respect to all people.

What is the Proposer's solution?

The following changes will be required to the CUSC (along with some other minor typographical amendments):

Current Term	Future Term	Parts of the code impacted
Chairman	Chair	Sections 8 and 11
Dear Sir/Madam	Dear XXXXXX	Schedule 2 Exhibit 3, Exhibits C, E, G, H, J, N, R and V
He/She	They	Sections 7, 8 and 11, Schedule 2 Exhibit 3 and 3a, Exhibits B, F, U, V, O (Part I B, Part I C, Part II B and Part II C)
Him/Himself	Them/Themselves	Sections 6, 7, 8 and 11, Schedule 2 Exhibit 3 and 3a, Exhibits O (Part I B, Part I C, Part II B and Part II C)
His	Their	Sections 1, 5, 6, 7, 8, 11, Schedule 2 Exhibit 3 and 3a, Exhibits G, H, O (Part I B, Part I C, Part II B and Part II C)

Note that following feedback at the CUSC Panel on 26 November 2021, we will change "Chair" to "Chairperson" to align language with Standard Condition C10 2(f) of the [Transmission Licence](#).

At the same meeting a question was asked whether changing "He/She" to "They" removes a singular obligation which arguably could create confusion as to whom the obligation is on. However, CUSC 11.2.6(e) already acknowledges that references to singular include the plural and vice versa so would look at any reference to "they" as having the meaning the context required.

Legal Text

The full Legal Text, with tracked changes can be found in Annex 3

What is the impact of this change?

Proposer's assessment against CUSC Non-Charging Objectives	
Relevant Objective	Identified impact
(a) The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;	Neutral
(b) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition	Neutral

in the sale, distribution, and purchase of electricity;	
(c) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	Neutral
(d) Promoting efficiency in the implementation and administration of the CUSC arrangements.	Positive By removing any gender bias, inequality, and discrimination within the code and promoting equality and diversity.

*Objective (c) refers specifically to European Regulation 2009/714/EC. Reference to the Agency is to the Agency for the Cooperation of Energy Regulators (ACER).

Proposer's assessment of the impact of the modification on the stakeholder / consumer benefit categories

Stakeholder / consumer benefit categories	Identified impact
Improved safety and reliability of the system	Neutral
Lower bills than would otherwise be the case	Neutral
Benefits for society as a whole	Positive By removing any gender bias, inequality, and discrimination within the code and promoting equality and diversity.
Reduced environmental damage	Neutral
Improved quality of service	Positive By removing any gender bias, inequality, and discrimination within the code and promoting equality and diversity.

When will this change take place?

Implementation date

9 March 2022.

This modification will be implemented 5 working days after the appeals window closes (5pm on 2 March 2022), providing no objections have been raised.

Date decision required by

Panel Self-Governance vote needs to take place by 26 January 2022.

Implementation approach

No systems or processes will need to be amended as a result of this proposal.

Interactions

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Grid Code | <input type="checkbox"/> BSC | <input checked="" type="checkbox"/> STC | <input checked="" type="checkbox"/> SQSS |
| <input type="checkbox"/> European
Network Codes | <input type="checkbox"/> EBR Article 18
T&Cs ¹ | <input type="checkbox"/> Other
modifications | <input type="checkbox"/> Other |

This Proposal is closely linked to [GC0153 'Making the Grid Code Gender Neutral'](#). Further modifications to make similar changes to the STC and SQSS will be raised in January 2022.

How to respond**Code Administrator consultation questions**

- Do you believe that CMP380 Original proposal better facilitates the Applicable Objectives?
- Do you support the proposed implementation approach?
- Do you have any other comments?

Views are invited on the proposals outlined in this consultation, which should be received by 5pm on **7 January 2022**. Please send your response to cusc.team@nationalgrideso.com using the response pro-forma which can be found on the [CMP380 modification page](#).

If you wish to submit a confidential response, mark the relevant box on your consultation proforma. Confidential responses will be disclosed to the Authority in full but, unless agreed otherwise, will not be shared with the Panel or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

¹ If your modification amends any of the clauses mapped out in Exhibit Y to the CUSC, it will change the Terms & Conditions relating to Balancing Service Providers. The modification will need to follow the process set out in Article 18 of the Electricity Balancing Guideline (EBR – EU Regulation 2017/2195) – the main aspect of this is that the modification will need to be consulted on for 1 month in the Code Administrator Consultation phase. N.B. This will also satisfy the requirements of the NCER process.

Acronyms, key terms, and reference material

Acronym / key term	Meaning
BSC	Balancing and Settlement Code
CMP	CUSC Modification Proposal
CUSC	Connection and Use of System Code
EBR	Electricity Balancing Regulation
STC	System Operator Transmission Owner Code
SQSS	Security and Quality of Supply Standards
T&Cs	Terms and Conditions

Reference material

- None

Annexes

Annex	Information
Annex 1	Proposal Form
Annex 2	Self – Governance Statement
Annex 3	Legal Text