

CUSC Alternative Form

CMP381 WACM5: Defer exceptionally high Winter 2021/22 BSUoS costs to 2022/2023

Overview: Same as the Original, except:

- Half-hourly BSUoS Price cap set at £50/MWh to reflect exceptional costs.
- Maximum amount which can be deferred set at £200m.
- This would apply for Settlement Periods from the next Business Day after The Authority's decision until the earlier of a) 31st March 2022 or b) when the £200m limit has been reached.

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Contents

- **What is the proposed alternative solution?**
 - Difference between this and the Original Proposal
- **What is the impact of this change?**
- **When will the change take place?**
- **Acronyms, key terms and reference material**

What is the proposed alternative solution?

- Set a £50/MWh cap on the BSUoS Price of each half hour Settlement Period
 - This would apply from the next Business Day after The Authority's decision until 31st March 2022
- Cap the additional BSUoS costs that would be deferred to £200m. In effect, the scheme would end immediately if the £200m limit were reached.
- Defer the additional BSUoS costs above the £50/MWh cap to the 2022/23 Financial Year up the total cap of £200m, using a similar mechanism as approved under CMP345¹ and CMP350² to calculate the amount to be deferred.
- These costs would be recovered in Financial Year 2022/23, using a similar mechanism to the one implemented under CMP373³ i.e. equal recovery each settlement day, which is volume weighted throughout the day
- The ESO will provide weekly updates on how much of the £200m has been used. The ESO will move to updates each working day when 60% of the total support has been used.
- The scheme will end in the settlement period immediately prior to the one in which the overall limit has been reached.

What is the difference between this and the Original Proposal?

The four differences between this and the Original Proposal are:

1. A greater cap, set at £50/MWh rather than £10/MWh
2. No retrospective changes to Settlement Dates, i.e., this change applies from the next Business Day after The Authority's decision rather than 1st January 2022
3. A lower threshold for when the deferral would end, set at £200m rather than £300m
4. Move to daily reporting once 60% of the total support has been reached and the scheme ceases the settlement period prior to the one in which the overall limit is reached.

We will now provide rationale for these differences.

The cap proposed here is set at £50/MWh rather than £10/MWh, as these can be classed as extreme Settlement Periods, as £50/MWh has never been seen before September 2021. Where the BSUoS Price exceeds £50/MWh has a large effect on Total BSUoS Costs. From September 2021 – 3rd December 2021, £207,766,443 was spent in BSUoS costs across the 78 Settlement Periods where the BSUoS Price exceeded £50/MWh. This account for around 30% of the total difference between prior ESO forecasts and outturn BSUoS costs over the past 4 months. By capping such extreme Settlement Periods, £65.3m would have been deferred.

In comparison to the Covid Support Scheme implemented under CMP345 and CMP350, it is evident that what constitutes an extreme BSUoS price has changed. That is why we are proposing a higher price cap than the one implemented in CMP345 and CMP350. When those modifications were implemented, there hadn't been a Settlement Period with BSUoS price higher than £50/MWh. Since September 2021, there have been 78 such Settlement Periods, the effect of which has been discussed. Additionally, BSUoS prices have historically been higher in winter than in summer, so again it seems reasonable to set a higher cap for a winter deferral period than a summer one. By capping at £50/MWh you would account for the truly exceptional circumstances seen in the market currently.

This alternate proposes not to have retrospective implementation. The primary concern is that retrospectivity could undermine previously settled market positions and adversely

affect different parties, leading to an overall negative market impact. The other concern for implementing this modification retrospectively is that doing so would set a precedent for future code change to also be set retrospectively.

This proposal sets the total limit for how much revenue can be deferred to £200m This £200m is inclusive of the ESO's financing and administration costs in order to undertake this deferral process.

The ESO is open to providing support to industry; however, the ESO currently has other financial commitments, which makes providing support, at short notice, very challenging for a legally separate company with a Regulatory Asset Value of £250m.

These other financial commitments include:

- £100m of TNUoS funding - predominately the "k" factor demand under recovery from Financial Year 21, which the ESO will only recover in Financial Year 23;
- Additional risks such as significant bad debt with the high number of suppliers that have ceased in Financial Year 22; and
- Uncertainties resultant from ESO's role as industry revenue collection agent as well as further ongoing regulatory change.

The maximum support that the ESO can provide is £200m. This provides a significant level of support to industry whilst ensuring that the ESO can also maintain its existing commitments.

Industry information is very important regarding when the support scheme may end, therefore due to the current market conditions, we think that moving to daily reporting at 60% of total support usage may be more effective than 80% set out in CMP350. In addition, to ensure that the scheme isn't ended early due to forecasting a cluster of high cost periods which may not materialise, we propose to end the scheme in the settlement period immediately prior to the one in which the over £200m limit was exceeded.

What is the impact of this change?

Proposer's Assessment against CUSC Charging Objectives

Relevant Objective	Identified impact
(a) That compliance with the use of system charging methodology facilitates effective competition in the generation and supply of electricity and (so far as is consistent therewith) facilitates competition in the sale, distribution and purchase of electricity;	Positive: This proposed approach would provide support to industry to limit the impact of the most extreme BSUoS prices which have never been seen by the market prior to September 2021
(b) That compliance with the use of system charging methodology results in charges which reflect, as far as	Positive: A £50/MWh cap means that BSUoS

is reasonably practicable, the costs (excluding any payments between transmission licensees which are made under and accordance with the STC) incurred by transmission licensees in their transmission businesses and which are compatible with standard licence condition C26 requirements of a connect and manage connection);	costs which are extremely high for the current market are limited.
(c) That, so far as is consistent with sub-paragraphs (a) and (b), the use of system charging methodology, as far as is reasonably practicable, properly takes account of the developments in transmission licensees' transmission businesses;	None:
(d) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	None:
(e) Promoting efficiency in the implementation and administration of the system charging methodology.	Negative: Adding in an extra process to defer costs from one financial year to another inherently makes the system charging methodology more complex. This same rationale applies to the Original and any other potential alternates.
*Objective (d) refers specifically to European Regulation 2009/714/EC. Reference to the Agency is to the Agency for the Cooperation of Energy Regulators (ACER).	

When will this change take place?

Implementation date:

1 Business Day after decision, currently expected to be 17th January 2022

Implementation approach:

Update the BSUoS charging methodology in Section 14 of the CUSC, in a similar manner to how this was done for modifications CMP345 and CMP350. CMP381 would necessitate a change to the ESO's Licence, in the same way that CMP345 and CMP350 did.

The ESO can use a similar process as to the Covid Support Scheme – any Settlement Periods where the BSUoS Price exceeds £50/MWh will be capped. The total amount in £ which is deferred will then be recovered by the ESO in Financial Year 2022/23, using a similar mechanism as for CMP345 and CMP350. Costs will be recovered equally each settlement day, volume weighted throughout the day.

Acronyms, key terms and reference material

Acronym / key term	Meaning
BSUoS	Balancing Services Use of System
CMP345	CUSC mod - 'Defer the additional Covid-19 BSUoS costs'
CMP350	CUSC mod - 'Changes to the BSUoS Covid Support Scheme'
CMP361	CUSC mod - 'BSUoS Reform: Introduction of an ex-ante fixed BSUoS tariff'
CMP373	CUSC mod - 'Deferral of BSUoS billing error adjustment'

Reference material:

1. <https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/modifications/cmp345-defer>
2. <https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/modifications/cmp350-changes>
3. <https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/modifications/cmp373-deferral>
4. <https://www.nationalgrideso.com/industry-information/codes/connection-and-use-system-code-cusc-old/modifications/cmp361-cmp362>