

Code Administrator Consultation

CMP382: Amend the terminology used in CUSC Section 14 to align with the definitions of ‘Financial Year’ and ‘Business Day’ within CUSC Section 11

Overview: Seeks to ensure that the use of “charging year” and “Working Day” in Section 14 is replaced and aligned with the already defined “Financial Year” and “Business Day”.

Modification process & timetable



Have 5 minutes? Read our [Executive summary](#)

Have 20 minutes? Read the full [Code Administrator Consultation](#)

Have 30 minutes? Read the full Code Administrator Consultation and Annexes.

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

This modification is expected to have a: Low impact

National Grid ESO and CUSC Parties

Governance route	Self-Governance modification to proceed to Code Administrator Consultation	
Who can I talk to about the change?	Proposer: Harvey Takhar Harvey.takhar1@nationalgrideso.com 07966 808 230	Code Administrator Contact: Paul Mullen Paul.j.mullen@nationalgrideo.com 07794 537 028
How do I respond?	Send your response proforma to cusc.team@nationalgrideso.com by 5pm on 11 March 2022.	

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What is the issue?

At present the terms “charging year” and “Working Day” are used within CUSC Section 14. However, these are not defined terms within CUSC Section 11. Therefore, there are inconsistencies between CUSC Section 11 and Section 14.

Why change?

[Ofgem's decision on CMP373](#) (dated 24 May 2021) noted the misalignment between the use of “charging year” and “Financial Year” and the proposed changes in this modification seek to address this.

The proposed change will create clarity and consistency going forward for CUSC parties.

What is the Proposer’s solution?

The proposed solution is to align Section 14 of the CUSC by replacing any reference to “charging year” and “Working Day” with the already defined terms “Financial Year” and “Business Day”.

Legal Text is attached in Annex 2.

At the CUSC Panel meeting on 26 January 2022, Panel members requested that the Proposer check the defined terms for “**Financial Year**” and “**Business Day**” are included within ESO’s licence. The Proposer confirmed that the terms are included and align to the defined terms in Section 11 of CUSC (detailed below):

Financial Year - *the period of 12 months ending on 31st March in each calendar year*

Business Day - *any week-day other than a Saturday on which banks are open for domestic business in the City of London*

CUSC Panel also noted that Financial Years are different for different organisations. Due to the Section 11 definition highlighting the dates, the Proposer believes that this covers the concern raised; however, they appreciate that this may require additional communications for some organisations.

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;	Neutral No material impact from the proposed changes
(b) That compliance with the use of system charging methodology results in charges which reflect, as far as is reasonably practicable, the costs (excluding any payments between transmission licensees which are made under and accordance with the STC) incurred by transmission	Neutral

licensees in their transmission businesses and which are compatible with standard licence condition C26 requirements of a connect and manage connection);	
(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;	Neutral
(d) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	Neutral
(e) Promoting efficiency in the implementation and administration of the system charging methodology.	Positive Proposed changes will provide greater consistency and therefore clarity to CUSC Parties.
*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).	

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	Neutral
Reduced environmental damage	Neutral
Improved quality of service	Neutral

When will this change take place?

Implementation date

9 May 2022.

Date decision required by

Panel Self-Governance vote needs to take place on 25 March 2022.

Implementation approach

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

Interactions

- | | | | |
|--|--|---|--------------------------------|
| <input type="checkbox"/> Grid Code | <input type="checkbox"/> BSC | <input type="checkbox"/> STC | <input 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 |

None identified

How to respond

Code Administrator consultation questions

- Do you believe that CMP382 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 11 March 2022**. Please send your response to cusc.team@nationalgrideso.com using the response pro-forma which can be found on the [CMP382 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

- [Ofgem's decision on CMP373](#)

Annexes

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