Workgroup Consultation

CMP288 & CMP289: Explicit charging arrangements for customer delays and backfeeds (CMP288) and consequential change (CMP289)

Overview:

CMP288 To introduce explicit charging arrangements to recover additional costs incurred by Transmission Owners and TNUoS liable parties as a result of transmission works undertaken early due to a User initiated delay to the Completion Date of the works, or to facilitate a backfeed.

CMP289 To introduce changes to non-charging sections of the CUSC to support CMP288

Modification process & timetable

1. **Proposal Form**
   12 February 2018
2. **Workgroup Consultation (1)**
   11 January 2019 – 31 January 2019
2. **Workgroup Consultation (2)**
   28 March 2022 – 27 April 2022
3. **Workgroup Report**
   16 June 2022
4. **Code Administrator Consultation**
   27 June 2022 – 18 July 2022
5. **Draft Final Modification Report**
   21 July 2022
6. **Final Modification Report**
   09 August 2022
7. **Implementation**
   10 days following decision

Have 5 minutes? Read our Executive summary

Have 20 minutes? Read the full Workgroup Consultation

Have 30 minutes? Read the full Workgroup Consultation and Annexes.

Status summary: The Workgroup are seeking your views on the work completed to date to form the final solution(s) to the issue raised.

This modification is expected to have a: High impact Electricity Transmission Owners; Developers requiring new Generation, Interconnector or Demand connections.
Low impact: Parties paying TNUoS.

Governance route	Standard Governance modification with assessment by a Workgroup	
Who can I talk to about the change?	**Proposer:** Ken Doyle Kenneth.Doyle@nationalgrideso.com 07814 062030	**Code Administrator Contact:** Jennifer Groome Jennifer.Groome@nationalgrideso.com 07966 130854
How do I respond?	Send your response proforma to cusc.team@nationalgrideso.com **by 5pm on 27 April 2022**	

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Executive summary

CMP288 seeks to introduce into section 14 of the CUSC explicit charging arrangements to recover additional costs incurred by Onshore TOs resulting from requests by Users for a delay to, or to speed up, transmission works to facilitate their connection.

CMP289 introduces non-charging sections of the CUSC.

What is the issue?

CMP288 & CMP289 There are currently no explicit charging arrangements to recover additional costs incurred by Transmission Owners as a result of a User-initiated change to transmission works either undertaken early or delay as compared to the contracted Completion Date for the works. Parts of the CUSC framework outside of Section 14 may require updates in support of this change.

What is the solution and when will it come into effect?

Proposer's solution:

CMP288 Change Section 14 to define additional charges which are levied in the event of customers seeking to delay or speed up transmission works, charged as per the methodology in each TO's Charging Statement (i.e. NGESO will not alter or change these values calculated by TOs).

CMP289 To support 288 (if applicable), supporting changes will be required to non-charging areas of the CUSC.

Implementation date: 10 working days after following a decision by the Authority.

Summary of potential alternative solution(s) and implementation date(s):
The Original solution applies to all contracts entered after the implementation date or contain these charges already. Consideration has been given to other implementation options as detailed in the Workgroup Considerations section of this document.

What is the impact if this change is made?

CMP288 & CMP289 The inclusion of explicit charging arrangements for one-off incremental costs improves transparency of the CUSC arrangements, but primarily ensures that the Onshore TOs and TNUoS liable parties are not unreasonably compelled to bear additional projects costs via the RIIO TOTEX incentive mechanism as a consequence of a request by individual Users related solely to their project As a consequence, this modification also helps to keep costs to end consumers proportionate.

Interactions

The Workgroup agreed that there are no necessary modifications required to the STC in relation to CMP288 as the process to apply charges into the connection agreements is standard process.

However, it was discussed that an STCP modification could be raised in future to provide more assurance on the process to update Charging Statements if desired. The Workgroup decided that whilst a change like this was not required currently, a commitment from the Onshore TOs and the ESO to make this process more transparent was sufficient.

What is the issue?

CMP288:

Section 14.4 of the CUSC provides for One-off charges to be recovered by the ESO where the transmission licensee is required to carry out additional activities related to the provision of connection works, particularly as a consequence of a User request.

The Section 14 charging methodology does not explicitly define that the costs incurred as a result of a User-initiated delay to a contracted Completion Date or a backfeed requested are included in these charges. Section 14.15 (e.g. 14.15.130) states the total amount to be recovered through TNUoS. Additional TO costs resulting from delays or backfeed provision are recovered through TNUoS. No mechanism currently exists within the CUSC to ensure these costs are funded by the requesting party instead of being recovered through TNUoS.

CMP289:

To support changes to Section 14 to implement proposed delay and backfeed charge arrangements, there may be a need to modify other areas of the CUSC.

Why change?

CMP288 & CMP289:

There are three types of cost a TO may incur upon a delay in a customer's Completion Date or provision of a backfeed:

i) Incremental project capital or non-capital costs: additional one-off costs that occur as a direct result of the customer request (e.g. site demobilisation and remobilisation costs);
ii) Financing costs – additional costs required in financing spend for additional years due to works being undertaken earlier than they would, should the request not be made.
iii) Onshore TO price control performance costs (e.g. business plan deviations for any delays to delivering planned outputs).

The CUSC already allows for the ESO to recover non-standard incremental costs incurred by Onshore TOs as a result of a customer's request via a One-Off Charge. However, the CUSC wording does not explicitly state that this includes the recovery of the above TO costs.

What is the solution?

Proposer's solution

CMP288:

The Proposer's solution will explicitly set out the categorisation of costs for delays and backfeed in the context of calculating One-off Works charges in CUSC Section 14. This would add transparency to the existing arrangements, helping Users understand any potential liabilities.

A fully exhaustive breakdown and explanation of these costs will continue to be contained within the Onshore TO's Charging Statements. As delay/backfeed charges can be negotiated between Users, the ESO and Onshore TOs today, any revised provisions brought forward by CMP288 will apply to:

- Any ongoing negotiation of connection agreements containing delay or backfeed charges
- Any new applications (more likely modification applications).

There will be no retrospective insertion of delay charges/backfeed charges into User agreements if these have not been previously agreed. On a case-by-case basis, any Users with finalised agreements containing delay/backfeed charges which are pending settlement can be reviewed in collaboration with the Onshore TOs and ESO to ascertain whether the underlying methodology needs to be adjusted to reflect the outcome of CMP288.

CMP289

To support CMP288, changings will be required to non-charging areas of the CUSC.

Workgroup considerations

The Workgroup convened nine times in 2018-2019 and three times in 2022 to discuss the issue, detail the scope of the proposed defect, devise potential solutions and assess the proposal in terms of the Applicable Code Objectives.

CMP288 was originally raised with modification CMP289 which looks to make consequential changes to sections outside of Section 14 of CUSC (CUSC governance requires that separate modifications are raised for changes to the charging methodology (s14), and non-charging sections of the CUSC). The Proposer no longer believes that any changes are required outside of Section 14 for this modification, so a question has been added as part of the consultation to gauge whether industry believe any change as part of CMP289 is required.

CMP288 and CMP289 were originally raised by National Grid Electricity Transmission as a combined ESO and Onshore TO legal entity and with dual representation on 23 February 2018 with a joint Workgroup formed to evaluate both modifications. Since the February 2018 Panel, National Grid Electricity System Operator (NGESO) became legally separate from National Grid Electricity Transmission (NGET). NGET was approved by the Authority to become Proposer of CMP288 as they were deemed to be materially affected by the defect of the modification. NGESO maintained to be the Proposer of CMP289. Nine Workgroup meetings were held between May 2018 and December 2019 before the modifications were put on hold due to Panel Prioritisation of other modifications.

All of the documentation from the 2018-2019 work can be found in Annex 3.

The Chair asked the Workgroup to consider whether they believe the Alternative Request submitted during the first Workgroup Consultation (which builds off the Original (2018) Proposal however only applies to connection agreements entered into after the modification implementation date) is still valid. The Workgroup agreed that as the Original Proposal has changed, the Alternative Request is no longer applicable.

In July 2021 NGET withdrew as Proposer of CMP288, due to the modification not being prioritised by the CUSC Panel. As an alternative route, the delay charge/backfeed concept was made explicit in the TO Charging Statement to specify these in formal industry arrangements.

Consideration of the Proposer's solution

The Proposer believes that it is appropriate for the substantive delay charge/backfeed charge methodology to continue to sit within the TO's Charging Statements, and the update required to CUSC is to define at a high level these costs which derive from the methodology in those statements.

Initially the Proposer recommended a simple 'TO cost pass through' concept as their proposed solution – however Workgroup and Panel feedback led to a reconsideration of that approach. The Workgroup preferred a more detailed set of legal text to add more transparency into the CUSC arrangements. The Proposer and Onshore TO Workgroup member agreed this was a better approach and provided updated legal text to help facilitate this (Annex 4). The Workgroup did largely accept that duplicating the methodology within the Onshore TO's statements in the CUSC was inefficient and could lead to issues with future proofing.

Applying delay charges/backfeed charges where any works are shared

The Workgroup briefly discussed that how delay/backfeed charges would be apportioned where costs relate to shared infrastructure works. One Workgroup member provided an example of a small generator seeking to delay at a site where larger generators with greater capacity requirements were also connecting. The consequence of the presence of larger Users at the site would artificially create a larger charge which could be seen as discriminatory.

Another Workgroup member highlighted that existing connection application and associated charging concepts are applied on a first-come basis, and as a consequence there may be limited options to help to 'shield' the smaller generator in this example, particularly as the other Users at site are commercial entities. Any cost avoidance would also inevitably burden the Onshore TOs and TNUoS payers as a consequence – a primary driver behind the CMP288 defect.

The Workgroup agreed to review previous consideration of Shared Works in the initial Workgroup meetings held in 2018-19:

- Workgroup members had previously agreed that the costs should be distributed in a proportionate and fair way across all parties who have caused the delay. To make sure this does not only penalise the first and last customer and cause perverse outcomes or incentives for third parties being affected, just because they are connected to the transmission system.

- The National Grid ESO representative suggested that an option could be to calculate the delay charge according to megawatts and then proportion this fairly across the delaying parties, according to their contribution towards the delay - a similar principle to the User Commitment methodology.

- The Workgroup sought industry views on two options for this in their 1st Workgroup Consultation.
    - Option 1 – All the costs of financing early works, targeted to the delaying party
    - Option 2 – MW proportion of all shared works targeted to the delaying party

The Workgroup Consultation responses showed no clear agreement on a favoured option. One party favoured Option 1, two showed a slight preference for Option 2 and two showed no support for either option. The Original solution aligns with Option 1.

Specific Workgroup consultation question: Do you have any comments in respect of the options set out for Shared Works?

Charging Statement Process

Some Workgroup members were not comfortable that the updated Proposal has the fully exhaustive methodology for delay and backfeed charges set out in the TO's Charging Statements rather than in the CUSC. In the Original (2018) Proposal, the charges were set out in the CUSC where the methodology would be under open governance. It was explained by the Proposer that Ofgem formally approve the form of the Charging Statements which gives some level of control. However, Workgroup members were concerned that there might not be a rigorous review of contents by Ofgem which could lead to misalignments with CUSC. It was noted that Ofgem will only approve the form and not the content proposed by the TOs.

The Onshore TO Workgroup member provided reassurance that substantial revisions to the TO Charging Statement are rare, and typically only as a consequence of evolutions in RIIO Price Control arrangements or following a direction from Ofgem. They believed that exhaustive methodologies added into CUSC could need annual iterative amendments which would lead to inefficiency in CUSC governance arrangements for all parties.

The Onshore TO Workgroup member explained how the Charging Statement annual update process currently worked, and also flagged areas for improvement to this activity to help address Workgroup/industry concerns. The existing high-level process is as follows:

- November early engagement between TOs
- TOs update documentation and submit to Ofgem for review and approval to publish in Dec/Jan
- Charging Statements published and become effective 1st April

The Onshore TO Workgroup member suggested that the early engagement in November included the ESO by default in future, and that in collaboration they identify any material deviations from existing methodologies. If any were identified, the Onshore TOs would continue their usual charging statement updates (ensuring their compliance to licence obligations to publish statements by 1 April), but the ESO and Onshore TOs could either immediately raise a code modification to amend the CUSC, or informally consult to ascertain industry views as to whether a change was needed. Ofgem would be advised in the Charging Statement submission process if any consultation or code modifications were likely in their consideration of approving the TO Charging Statement.

Following discussion on this topic, the Original Proposal was enhanced to add some additional definition of the costs/charges to also provide more reassurance to industry. This had evolved from "pass-through" costs to including a clear definition of the charges.

Ensuring methodology consistency between the Onshore TOs

The Workgroup sought to understand how each Onshore TO identified and defined the costs associated with delays and backfeed. Concerns were raised that the three TOs could take a different approach to calculating delay charges, and therefore the charges could be discriminatory.

One Workgroup member shared their own experience with some projects that have been delayed a number of times, where delay charges have been unpredictable and lacking justification.
The ESO provided a high-level comparison of the differences on Charging Statement text related to delay/backfeed text, as they perceived them:

High Level Comparison of TO's Charging Statement

NGET:	**SPT:**	**SHET**:
• Location in Statement: 'Delayed Delivery, Early Delivery and Deferred Use Charges in Part 3' • Very detailed with two pages of example capital and non-capital costs and charge calculations using diagrams and formulae • Delayed Delivery: revised forecast spend minus the original forecast spend in current price base. • Early Delivery: forecast spend to deliver early minus the efficient spend for nominal delivery, in current price base	• Location in Statement: 'Delay Charges & Advanced Delivery Charges' • Low on detail - summarised as 'These charges reflects the incremental cost incurred as a result of a User's request irrespective of whether the cost can be capitalised.'	• Location in Statement: 'Other Charges - One-Off Works in Part 3' • Low on detail - summarised as 'The one-off works charge is a charge equal to the cost of the works involved, plus a reasonable return.'

• Deferred Use Charges: straight depreciation-based charge for assets already delivered		

The Onshore TO Workgroup member stated that they believed the core cost elements (e.g. incremental non-capital or capital project costs + associated financing costs) were consistent between the three TOs, but may be described differently in their respective Charging Statements. However they elaborated that some elements of cost could be unique for the individual TOs due to specific provisions in their RIIO Price Controls, as agreed with Ofgem. This would lead to 'acceptable' regional deviations as they are a consequence of Ofgem direction. The Workgroup member highlighted that this was a factor as to why a fully exhaustive methodology in CUSC could be inefficient.

One Workgroup member explained that in their experience the application of the discussed charges appeared not to be consistent across the three TOs. In the past, they had not experienced any such charges in Scotland and it appeared the Scottish TOs communicated expenditure differently.

The Onshore TO Workgroup Member (who represents NGET) informed the Workgroup that SPT and SHETL have been engaged on this proposal outside the CUSC process, and all three TOs organisations are committed to working together to ensure consistency in their processes to identify cost and explain these in Charging Statements texts as appropriate (noting the point above).

Workgroup members were keen to understand how often these charges have been applied by each of the TO's and had requested these metrics ahead of the consultation.

Wider considerations for delay charge/backfeed charge process

The Workgroup discussed other factors which impact a User's ability to predict, consider and agree to delay charges/backfeed charges, and that this also needed scrutiny. Though changes to business processes are outside of the scope of these CUSC modifications, the Workgroup agreed it was relevant to the solution to discuss in some level of detail how working practice can be improved to communicate to developers the risk of potential delay charges, so they are enabled to put mitigation in place to avoid these.

The route for a User to notify of a delay was discussed, as per the existing Modification Application (Mod App) process:

- Customer notifies TO (via NGESO) of delay to connection date
- TOs apply delay charges as set out in Charging Statement

- TOs pass charge to ESO via TOCA (governed under STC) who perform high level validation
- ESO passes charge to Customer via BCA and CONSAG (governed under CUSC)

It was discussed that delay charges were a last resort to proactive project management conversations, and that all parties (User, ESO and Onshore TO) should be actively working to avoid needing to levy these charges. Whilst the Mod App process was agreed to not be defective, the Workgroup discussed what else could be done to business processes in order to improve this area.

The Workgroup discussed the process for negotiating and agreeing charges, including the important role the ESO had to advocate on behalf of the customer that delay charges/backfeed charges were well-justified (by supporting TO data) and applied in accordance with approved methodologies. The ESO committed to consider how they could do this to support Users.

The Onshore TO (NGET) Workgroup member highlighted that significant improvements have been made to enable NGET to ring-fence and identify cost internally, and evidence it externally. They assured Workgroup members that this would continue to evolve, and efforts would continue to ensure this data was also understandable to Users and the ESO. They acknowledged that Users should be able to dispute any charges the Onshore TO seeks to levy via the ESO if the User or ESO believes the supporting data is unclear or the charge unjustified in respect of the methodology. They voiced their aspiration that this would be dealt with through collaboration first rather than an immediate formal dispute.

The Onshore TO Workgroup member also highlighted enhancing communications and data exchange with the ESO as part of the Final Sums process, particularly to highlight any significant increases in TO spend which would lead to any delay charge being greater.

A Workgroup member voiced in their opinion that although the TO's aspiration to make significant improvements to the current process was promising, it does not provide assurance that it will happen.

The ESO confirmed that the existing CUSC charging dispute process would apply for the changes introduced by this modification and no consequential changes would be needed.

Specific Workgroup consultation question: Are there other supporting commercial processes (either codified or not) which could impact successfully applying delay charges/backfeed charges which the Workgroup have not considered? Please explain how CMP288 may impact them.

Consideration of other options

The ESO representative listed four theoretical ways CMP288 could be implemented, acknowledging some of these would not be endorsed by industry. They went on to confirm that the implementation approach for the original proposal would be apply

CMP288 to all connection contract changes (new contracts or modifications to existing contracts) after the implementation date or where these charges are already applied in the connections contracts. The other three implementation options discussed were;

1. Look back through all current contracts and see if any missing charges should be applied (i.e. retroactive application of charges)
2. Apply to all connection contract changes (new contracts or modifications to existing contracts) after the implementation date (i.e. remove existing charges)
3. Only apply to brand new connection contracts signed after the implementation date.

One workgroup member believed that with option 2, when expenditure had been applied by the TO prior to the Mod App (in some case many years), that this could be included as a delay charge within 'all connection contract changes'.

Consideration of withdrawal of CMP289

The Proposer believes that CMP289 can be withdrawn as the Construction Agreement that CMP289 is proposing to amend already provides for the possibility that one-off works might take place (Clause 2.11 of that agreement). In addition to clause 2.11, the formulae and charging arrangements set out in CUSC paragraphs 14.4.4-14.4.6, provide sufficient clarity.

Specific Workgroup consultation question: Do you think the CMP289 modification is required? If so, please provide your justification.

Draft legal text

The draft legal text can be found in Annex 4.

What is the impact of this change?

Proposer's assessment against Code Objectives

CMP288

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** The Proposal removes additional financing costs related to individual customer delays and backfeeds, which removes a potential cross-subsidy between CUSC parties.
(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	**Positive** The Proposal ensures that the cost of delays and provision of backfeeds is reflected in charges made to the party causing the cost.

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);	
(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** Including explicit charging arrangements for one-off incremental costs improves transparency of the CUSC arrangements.
*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).	

CMP289

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;	**Positive.** This proposal facilitates a charging change that providing a a cost reflective signal on parties connecting to the Transmission system, and provides transparency to enable Users to assist TOs in undertaking transmission works economically and efficiently.
(b) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity;	**Positive.** This proposal facilitates a charging change that ensures that the cost of delays and provision of backfeeds is reflected in charges made

	to the party causing the cost
(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.** Providing additional transparency of TO expenditure improves transparency of the CUSC arrangements.
*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).	

Standard Workgroup consultation question: Do you believe that the CMP288 Original proposal better facilitates the Applicable Objectives?

Standard Workgroup consultation question: Do you believe that the CMP289 Original proposal better facilitates the Applicable Objectives?

When will this change take place?

Implementation date
10 working days after following a decision by the Authority, as the charging arrangements proposed relate to one-off charges, and adjustments to TNUoS Recovery Requirements in subsequent years' charges.

Date decision required by
As soon as possible.

Standard Workgroup consultation question: Do you support the implementation approach?

Interactions

☐Grid Code	☐BSC	☐STC	☐SQSS
☐European Network Codes	☐ EBR Article 18 T&Cs[1]	☐Other modifications	☐Other

Whilst the change will adjust the total amount to be recovered via TNUoS, it does not affect how the resulting amount is recovered from CUSC parties.

[1] If the modification has an impact on Article 18 T&Cs, it will need to follow the process set out in Article 18 of the Electricity Balancing Regulation (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.

The Workgroup discussed that modifications to the STC could be raised to provide more assurance in the TO charging statements.

How to respond

CMP288 Standard Workgroup consultation questions

1. Do you believe that the CMP288 Original proposal better facilitates the Applicable Objectives?
2. Do you support the proposed implementation approach?
3. Do you have any other comments?
4. Do you wish to raise a Workgroup Consultation Alternative request for the Workgroup to consider?

Specific Workgroup consultation questions

5. Are there other supporting commercial processes (either codified or not) which could impact successfully applying delay charges/backfeed charges which the Workgroup have not considered? Please explain how CMP288 may impact them.
6. Do you have any comments in respect of the options set out for Shared Works?
7. Do you think the CMP289 modification is required? If so, please provide your justification. *If you think CMP289 is required, please continue to answer the CMP289 Workgroup consultation questions.*

CMP289 Standard Workgroup consultation questions

8. Do you believe that the CMP288 Original proposal better facilitates the Applicable Objectives?
9. Do you support the proposed implementation approach?
10. Do you have any other comments?
11. Do you wish to raise a Workgroup Consultation Alternative request for the Workgroup to consider?

The Workgroup is seeking the views of CUSC Users and other interested parties in relation to the issues noted in this document and specifically in response to the questions above.
Please send your response to cusc.team@nationalgrideso.com using the response pro-forma which can be found on the CMP288 & CMP289 modification page.
In accordance with Governance Rules if you wish to raise a Workgroup Consultation Alternative Request please fill in the form which you can find at the above link.

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, Workgroup or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

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 Guideline
STC	System Operator Transmission Owner Code
SQSS	Security and Quality of Supply Standards
T&Cs	Terms and Conditions
TNUoS	Transmission Network Use of System
TO	Transmission Owner
TIM	Totex Incentive Mechanism
SO	System Operator

Reference material

- None.

Annexes

Annex	Information
Annex 1	Proposal forms
Annex 2	Terms of reference
Annex 3	Previous work (2018)
Annex 4	Draft Legal text