

CUSC Panel 27 January 2023

CUSC Panel Minutes

Date: 27/01/2023 **Location:** Faraday House

Start: 10:00 **End:** 14:00

Participants

Attendee	Initials	Company
Trisha McAuley	TM	Independent Panel Chair
Paul Mullen	PM	Code Administrator, National Grid Electricity System Operator (Presenter of CMP409)
Teri Puddefoot	TP	Technical Secretary, Code Administrator, National Grid Electricity System Operator
Andrew Enzor	AE	Users' Panel Member
Andy Pace	AP	Users' Panel Member
Binoy Dharsi	BD	Users' Panel Member
Cem Suleyman	CS	Users' Panel Member
Garth Graham	GG	Users' Panel Member
Grace March	GM	Users' Panel Member
Karen Thompson – Lilley	KTL	National Grid Electricity System Operator
Mark Duffield	MD	Users' Panel Member (Alternate)
Nadir Hafeez	NH	Users' Panel Member
Paul Jones	PJ	Users' Panel Member

Observers/Presenters

Attendee	Initials	Company
Rashmi Radhakrishnan	RR	BSC Observer

Joe Henry	JH	National Grid Electricity System Operator Observer
Alice Taylor	AT	National Grid Electricity System Operator Presenter fo CMP408

Apologies

Attendee	Initials	Company
Joe Dunn	JD	Users' Panel Member

1. Introductions and Apologies

11763. Apologies were received from Joe Dunn. A declaration of interest was noted by KTL in relation to the presentation of modification CMP408.

2. Minutes from previous meetings

11764. The meeting minutes from the Special CUSC Panel held on 23 November 2023 were approved, subject to the incorporation of an amendment proposed by Grace March. The minutes from the CUSC Panel meeting held on 25 November 2023 were approved. The minutes from the 16 December 2022 meeting will be presented to the Panel on 24 February 2023.

3. Review of actions log

11765. There are currently no actions for review.

4. Chair's update

11766. No updates from the Chair.

5. Authority Decisions

11767. Ofgem provided an update on Modifications that have been decided upon, together with those currently awaiting their decision.

Decisions since last CUSC Panel

Modification	What this seeks to achieve	Decision
CMP401	Maintaining Non Half Hourly (NHH) charging arrangements for Measurement Classes F and G	Approved Original Proposal on 27 January 2023 – to be implemented 1 April 2023

Awaiting Decisions

Modification	What this seeks to achieve	Expected Decision Date
CMP286/CMP287	Seeks increased notice of the Target Revenue (CMP286) and inputs (CMP287) used in the TNUoS Tariff Setting Process	Final Modification Report received 7 December 2022. Expected decision date 30 September 2023
CMP288	Explicit charging arrangements for customer delays and backfeeds iro transmission connections	Expected decision date was 31 January 2023 but now 28 February 2023
CMP292	Introduces a cut-off date for changes to the Charging Methodologies	31 October 2023
CMP298	Process for aggregated assessment of Distributed Generators that impact (or may impact) on the National Electricity Transmission System.	Expected decision date was 31 January 2023 but now 28 February 2023
CMP328	Establish the process when any connection triggers a Distribution impact assessment.	Expected decision date was 31 January 2023 but now 14 February 2023
CMP384	Apply adjustments for inflation to manifest error thresholds using Indexation	Expected decision date was 31 January 2023 but will be delayed and Ofgem will confirm new expected decision date asap

Other Updates

11768. NH advised the Panel that Consumer Scotland has inherited some of the statutory powers of Citizens Advice Scotland. NH asked Code Admin to review the wording in the CUSC and bring forward modifications (if required) to reflect this change. **ACTION (Code Administrator)**

6. New modifications

11769. The following new modifications were presented to the Panel:

[CMP408: Allowing consideration of a different notice period for BSUoS tariff settings](#)

11770. AT presented CMP408 to Panel explaining that, following the approval of CMP361 WACM3 and an ex ante fixed BSUoS tariff with a 9-month notice and 6 month fix, Ofgem have stated that there is a need to amend the notice periods and therefore this modification seeks to amend the notice period to a 3 month notice period.

11771. Following discussion and clarification of the intent of the modification, the Panel unanimously agreed that CMP408 should follow the Standard governance route and proceed to a Workgroup. The Panel agreed the [Terms of Reference](#) for the Workgroup.

[CMP409: Housekeeping Modification as a result of CMP363 Ofgem decision](#)

11772. PM informed the Panel that, as part of their decision on CMP363, Ofgem identified 2 changes that need to be made ahead of CMP363 implementation on 1 April 2023.

11773. The Panel unanimously agreed that CMP409 should follow the Fast-Track Self Governance route and be implemented on 1 April 2023 (if no objections are received in the Appeals window between 3 February 2023 and 5pm on 24 February 2023).

7. In flight modification updates

11774. PM talked the Panel through the progression of the in-flight modifications. The in-flight modifications can be found within the CUSC Panel papers pack on the National Grid ESO website via the following link: [CUSC Panel Meeting \(Faraday House\) - 27.01.2023 | National Grid ESO](#)

11775. PM also presented the latest rolling 12-month cross code view of all the Workgroups currently planned in and when Workgroup Reports and Draft Final Modification Reports are planned to be presented to the Panel, together with a view of modifications that are likely to be raised in the same period.

[CMP330&CMP374: Allowing new Transmission Connected parties to build Connection Assets greater than 2km in length & CMP374: Extending contestability for Transmission Connections](#)

11776. PM advised the Panel that CMP330 & CMP374 seek to amend the CUSC Section 14 to allow contestability in the construction of connection assets and remove the link between contestability eligibility and TNUoS charging which creates a limit on contestable connections of 2km.

11777. PM informed the Panel that the CMP330/CM374 Workgroup (on 13 December 2022) agreed that further Workgroups will be needed to review and agree final legal text, review the Terms of Reference, hold the Workgroup Vote and finalise the Workgroup Report. Therefore, the Panel were asked to agree to a delay to the Workgroup Report from February 2023 to March 2023 - this was agreed.

[CMP394: Removing Generation Charges from Electricity Storage Operators in Positive TNUoS Zones](#)

11778. PM informed the Panel that, on 15 December 2022, the Proposer of CMP394 withdrew as proposer of CMP394 as they considered CMP393 to be a simpler solution to a defect identified in both code modifications i.e., that current TNUoS charges reflect only exports, and not imports.

11779. PM added that CUSC 8.16.10 defines the process for withdrawal and added that the industry was notified on 15 December 2022 and had until 5pm on 22 December 2022 to express their wish to become the new Proposer. No-one expressed a wish to become the new Proposer by 5pm on 22 December 2022. Therefore, Panel were asked, under CUSC 8.16.10(b), to agree to the withdrawal of CMP394 – the Panel agreed.

11780. The next Modification Tracker will be published on 7 February 2023.

8. Discussion on Prioritisation

11781. The Panel reviewed the prioritisation stack. The updated Prioritisation Stack can be found via the following link: [CUSC Panel Meeting \(Faraday House\) - 27.01.2023 | National Grid ESO](#)

11782. For each Modification in the prioritisation stack, the Panel have determined if the Priority is “High”, “Medium to High”, “Medium”, “Low to “Medium” or Low”. Panel continue to

review the prioritisation stack on a monthly basis and every quarter hold a more in-depth review (ahead of this review, Proposers will be asked to provide updated justification against the prioritisation criteria).

11783. The CUSC Panel discussed the prioritisation of the following Modification:

Modification	What this seeks to achieve	Panel Comments	Position in Prioritisation Stack
CMP408	Following the approval of CMP361 WACM3, of an ex ante fixed BSUoS tariff with a 9 month notice and 6 month fix. Ofgem have stated that there is a need to amend the notice periods and therefore, this modification seeks to amend the notice period to a 3 month notice period.	Given the high materiality and industry interest, Panel believed a High priority was appropriate.	High

9. Workgroup Reports

11784. No Workgroup Reports were presented to the Panel.

10. Draft Final Modification Reports

11785. PM presented the following Draft Final Modification Report to the Panel:

[CMP344: Clarification of Transmission Licensee revenue recovery and the treatment of revenue adjustments in the Charging Methodology](#)

11786. PM advised the Panel that CMP344 clarifies that the allowed revenue for Transmission Owners recovered from Transmission Users under the Charging Methodologies is fixed for each onshore price control period for onshore transmission licensees, and at the point of asset transfer for OFTOs. He advised that all respondents to the Code Administrator Consultation expressed support for the change.

11787. The Panel, by majority, recommended that the Original solution should be implemented. The Final Modification Report will be issued to Ofgem on 8 February 2023.

11. Standing Groups

Transmission Charging Methodology Forum (TCMF)

11788. KTL provided a summary of the topics to be discussed at the next TCMF meeting on 2 February 2023, which included Fixed BSUoS and Wider Connections Reform (**Post Meeting Note: The meeting was held on 2 February 2023 and the papers and presentations for this meeting can be found via the following link: [Transmission Charging Methodologies Forum \(TCMF\) - 02.02.2023 | National Grid ESO](#))**)

Joint European Stakeholder Group (JESG)

11789. No further updates for the Panel.

Governance Standing Group

11790. No further updates for the Panel.

EU Codes

11791. GG advised that there is an ongoing parliamentary process on which EU Law provisions will be retained and which will be revoked in UK Law. The Panel noted that this could mean CUSC changes further down the. MD provided the [link](#) to a UK Government Dashboard which provides live updates on devolved EU Law

12. Update on other Industry Codes

11792. RR confirmed that there are no Residual Cashflow Reallocation Cashflow (RCRC) impacts following [Ofgem's decision on CMP361 and CMP362](#).

11793. PM provided an update on the GC0148 send-back, details of which can be found within the minutes of [Grid Code Review Panel](#)

13. Relevant Interruptions Claim Report

11794. The Panel noted that there were no outstanding claims on the latest Relevant Interruptions Claim Report (to cover the period 1 October 2022 to 31 December 2022). However, PM agreed to feedback the Panel's ask to clarify the move to a different numbering format on the report itself (**Post Meeting Note: feedback shared with ESO Connections team 6 February 2023 and they have agreed to include this clarification**).

14. Governance

11795. No further updates for the Panel.

15. Horizon Scan

11796. No further updates for the Panel.

16. Forward Plan Update

11797. No further updates for the Panel.

17. Any Other Business

Request for a Standing Group to explore enduring fixed BSUoS solutions

11798. KTL presented to the Panel and sought agreement to set up a Standing Group (in accordance with the provisions of CUSC 8.21) to explore enduring fixed BSUoS solutions.

11799. The Panel supported the intent but conducted a full discussion on the range of options and the merits and disadvantages of establishing a Standing Group. The Panel decided that the best route was for a TCMF sub group route to look at the issues and identify the best way forward.

11800. This will be discussed further at the TCMF on 2 February 2023.

The next CUSC Panel meeting will be held on 24 February 2023 at 10:00 via Microsoft Teams