

Workgroup Consultation Response Proforma**GC0148: Implementation of EU Emergency and Restoration Code Phase II**

Industry parties are invited to respond to this consultation expressing their views and supplying the rationale for those views, particularly in respect of any specific questions detailed below.

Please send your responses to grid.code@nationalgrideso.com by **5pm on 27 April 2022**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration.

If you have any queries on the content of this consultation, please contact Sally Musaka sally.musaka@nationalgrideso.com or grid.code@nationalgrideso.com.

Respondent details	Please enter your details
Respondent name:	Antony Johnson
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I wish my response to be:

(Please mark the relevant box)

 Non-Confidential Confidential

Note: A confidential response 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.

For reference the Applicable Grid Code Objectives are:

- a) *To permit the development, maintenance and operation of an efficient, coordinated and economical system for the transmission of electricity*
- b) *Facilitating effective competition in the generation and supply of electricity (and without limiting the foregoing, to facilitate the national electricity transmission system being made available to persons authorised to supply or generate electricity on terms which neither prevent nor restrict competition in the supply or generation of electricity);*
- c) *Subject to sub-paragraphs (i) and (ii), to promote the security and efficiency of the electricity generation, transmission and distribution systems in the national electricity transmission system operator area taken as a whole;*
- d) *To efficiently discharge the obligations imposed upon the licensee by this license and to comply with the Electricity Regulation and any relevant legally binding decisions of the European Commission and/or the Agency; and*
- e) *To promote efficiency in the implementation and administration of the Grid Code arrangements*

Please express your views in the right-hand side of the table below, including your rationale.

Standard Workgroup Consultation questions								
1	Do you believe that the Original Proposal better facilitates the Applicable Objectives?	<p>Mark the Objectives which you believe the Original Solution better facilitates:</p> <table border="1" data-bbox="627 416 1455 472"> <tr> <td data-bbox="627 416 855 472">Original</td> <td data-bbox="855 416 943 472"><input checked="" type="checkbox"/>A</td> <td data-bbox="943 416 1031 472"><input checked="" type="checkbox"/>B</td> <td data-bbox="1031 416 1118 472"><input checked="" type="checkbox"/>C</td> <td data-bbox="1118 416 1206 472"><input checked="" type="checkbox"/>D</td> <td data-bbox="1206 416 1455 472"><input type="checkbox"/>E</td> </tr> </table> <p>Yes. We support this proposal.</p> <p>This modification implements the outstanding elements of the EU Emergency and Restoration Code which in the drafting of the European Code has a compliance deadline of 18 December 2022. Since the Emergency and Restoration Code is retained in GB law through Statutory Instrument SI 533 2019 this modification satisfies Grid Code objective (d).</p> <p>The Emergency and Restoration Code seeks to provide greater system resilience by requiring TSOs to produce system defence and restoration plans and to set out the requirements on Users to participate in these. Within this modification, this also includes enhanced measures on storage providers, updates to critical tools and facilities in addition to providing greater opportunity for non-CUSC parties to provide defence services. Improved measures to restore the System following a Partial System Shutdown or Total System Shutdown through enhanced critical tools and facilities, improved communications systems, improvements to the System Defence Plan and Test Plan are also included. In this respect this modification facilitates Grid Code objectives (a), (b) and (c).</p> <p>The modification also includes implementation of 'distributed restart' provisions, whereby distribution connected providers (and being non-CUSC parties) can provide restoration services which is not currently the case. The distributed restart elements also fulfil objectives (a)-(c).</p>	Original	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input checked="" type="checkbox"/> C	<input checked="" type="checkbox"/> D	<input type="checkbox"/> E
Original	<input checked="" type="checkbox"/> A	<input checked="" type="checkbox"/> B	<input checked="" type="checkbox"/> C	<input checked="" type="checkbox"/> D	<input type="checkbox"/> E			
2	Do you support the proposed implementation approach?	<table border="1" data-bbox="627 1693 1455 1783"> <tr> <td data-bbox="627 1693 1455 1738"><input checked="" type="checkbox"/>Yes</td> </tr> <tr> <td data-bbox="627 1738 1455 1783"><input type="checkbox"/>No</td> </tr> </table> <p>Yes – We believe the implementation approach satisfies the requirements of the EU Emergency and Restoration Code; it makes the system more robust and resilient to disturbances and achieves compliance with the Emergency and Restoration Code in a timely manner.</p> <p>It also has developed and introduces the distributed restart arrangements which will provide a foundation for</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No				
<input checked="" type="checkbox"/> Yes								
<input type="checkbox"/> No								

		<p>implementation and compliance with the Electricity System Restoration Standard which is required by 31 December 2026 and will be further reflected in Grid Code modification GC0156.</p>
3	<p>Do you have any other comments?</p>	<p>With regard to the commentary on Article 40, which relates to the provision of information either to or from the ESO, we note that one workgroup member had a number of comments on this issue, in particular the sharing of information between the ESO and other parties, be they Users, Defence Service Providers or Restoration Service Providers. Implementation of Article 40 does not though fall within the agreed scope of GC0148.</p> <p>We note that this issue was discussed as part of modifications GC0127/GC0128 in 2019 and that it has also recently been debated at length as part of the GC0133 modification (which sought to require the ESO to share the GB system state on BMRS). In their rejection of this modification, Ofgem noted the risk of misreporting, particularly without further commentary to explain the system state, and the lack of a demonstrable benefit. This modification included the 'alert' state that was designed primarily for TSO to TSO communications though; the ESO has committed to share the 'emergency', 'blackout' and 'restoration' states on a reasonable endeavours basis but continues to have reservations about codifying absolute requirements that might be difficult or counterproductive to meet during an actual emergency when the Control Room will be experiencing a period of severe stress.</p> <p>While the ESO recognises that this issue may require further clarification, we feel that it may best be addressed through a separate forum rather than being in scope of the GC0148 workgroup.</p> <p>We would also note the view of the workgroup with regard to the treatment of netted demand and low frequency demand disconnection (LFDD) and their view that the current low frequency demand disconnection scheme already meets the provisions of the Emergency and Restoration Code. As set out in the Workgroup Report, we support the recommendation that a separate group outside of the GC0148 modification proposal should consider any future requirements in a more holistic way.</p>

4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		We do not wish to raise an alternative at this stage.

Specific Workgroup Consultation questions- GC0148

5	Do you think it is appropriate to include the Distributed Restart amendments within this modification bearing in mind such proposals would fall under the EU Emergency and Restoration Code, or do you think that the Distributed Restart legal text should be transferred to GC0156, so that it can be finalised in the context of the ERSR requirements? Please provide a rationale for your response.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		<p>We recognise that some parties may wish to remove the Distributed Restart provisions from the solution to allow Ofgem to make a decision solely on the outstanding issues stemming from the Emergency and Restoration Code with a very clear compliance driver. This is a finely weighted issue; it might be better, having done the work, to get an earlier decision on the Distributed Restart text which would provide a firmer foundation for the Restoration Standard work under GC0156. Or it might be cleaner to move the Distributed Restart provisions into GC0156 so that any text associated with this was subject to a single decision. Either option would require a little rework, either of the System Defence, Restoration and Test plans or of the Distributed Restart text itself in GC0156.</p> <p>On balance though, for clarity of drivers we would support taking the Distributed Restart provisions out of GC0148 and putting them into GC0156. The main thing is that the solution has been written and tested through the workgroup process.</p>
6a	The DR legal text has been drafted on the basis that i) there will be a Connection Agreement with the DNO that binds an embedded RSP to the DCode and ii) a Tripartite Agreement that binds the embedded RSP to the relevant parts of the GCode and DCode. Do you see any	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		<p>From an ESO perspective we are comfortable with this approach. We need to make sure that under these proposals, the requirements of the Emergency and Restoration Code are satisfied including the Terms and Conditions, which we believe they are, though some further work is likely to be required on the tripartite contracts.</p>

	<p>difficulties with this proposed contractual arrangement?</p>	
<p>6b</p>	<p>The DR legal text has been drafted on the basis that NGESO will lead on the procurement of RSs. This is one of the three implementation methods developed in the Distributed Restart project as described in section / annex 11 of this consultation. Do you agree that this is the most appropriate way to implement Distributed Restart, or should one of the alternative approaches be developed? Please provide a rationale for your response</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>We agree with this approach. Black Start is not currently a mandatory requirement and we believe Distributed Restart should be treated in the same way on the basis that:</p> <ul style="list-style-type: none"> i) a DNO may not have the appropriate network topology or appropriate Restoration Service Providers in its area; and ii) Restoration Service Providers may or may not have the availability, capability or willingness to provide a service in a specific area. We also note that the ESO hold the budget for Black Start so if alternative options were suggested, further thought would need to be given to this issue. <p>As this approach is therefore a market based solution based on setting out the clear requirements to participate in a commercial opportunity, we believe this would be to the benefit of the wider industry, though we would note there is a risk there may be an insufficient number of providers and resources in the future. That said, this is an issue for the ESRS work rather than GC0148 but we do believe it provides the correct framework and opportunity going forward.</p>
<p>7</p>	<p>Do you believe Distribution Network Operators, Significant Grid Users, Defence Service Providers and Restoration Service Providers have adequate resilience of their critical tools and facilities as detailed in EU NCER Article 42(1)(2) and (5) as drafted in the legal text</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Yes we agree the legal text has been clarified to address this issue which is welcomed.</p> <p>We would note that the current drafting adopts the minimum mains independence period of 24 hours as stipulated in the Emergency and Restoration Code, however for the Electricity System Restoration Standard we believe this should be increased to 72 hours</p>

	in Annex 8 Please provide your rationale. Do you believe that the NCER requirements have been correctly interpreted in the proposed legal text?	
8	Do you believe it is appropriate to have a mains independence minimum resilience period of 24 hours as required by the NCER or 72 hours as is generally standard in GB for existing black start purposes and is being proposed as part of the ESRS work?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No As noted in response to question 7 above, the E&R minimum of 24 hours has been selected. To give the System a better chance of recovery following a total or partial shutdown we would propose a minimum resilience of 72 hours. This would need to be implemented as part of the ESRS work and therefore it would seem appropriate to set this value to 72 hours at this stage rather than at a later period.
9	Do you believe the approach proposed of introducing non-CUSC parties under the framework of the NCER (i.e. non-CUSC parties who have a contract with the ESO as defence service providers and/or restoration service providers) is an appropriate solution going forward? If not please explain why you believe this is the case.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Yes – We believe this is a sensible way forward. The alternative would require extensive changes to the Distribution Code which we do not believe would be appropriate.
10	Do you have any comments on the draft distributed restart contracts in Annex 15?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Prior to this consultation being issued the ESO reviewed the draft contracts at a high level and fed back to the Distributed Re-Start Project Team. Our main concerns relate to picking up the relevant Grid Code terms that would apply to Restoration Service Providers under the

		<p>Emergency and Restoration Code and the linkage to the E&R Terms and Conditions. These comments have already been fed back to the Distributed Re-Start project team and can be provided separately to the GC0148 workgroup if this would be of value.</p>
11	<p>Do you have any comments on the notification letters in Annex 7?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>The draft notification letters were prepared and circulated to the GC0148 Workgroup in Q3/4 of 2021 with a request for comments. The current draft notification letters in Annex 7 reflect those comments. We will seek further comments following this consultation but we would note the need to issue these letters to relevant parties as soon as possible.</p>