

CMP376

WACM10

The legal text for WACM4 is the same as the legal text for the original CMP376 apart from:

- (i) the changes as shown in **red and strikethrough** below to Paragraph 16.3 (The User Progression Milestones and Evidence) of the new CUSC Section 16 specifically to the first sub - paragraph after the first table within that Paragraph 16.3:

The date by which a **User Progression Milestone** has to be achieved in the reference table is derived **as follows**:

- (a) row 1 in the **Conditional Progression Milestones** and **Construction Progression Milestones** tables below shows the period (in years) from the contracted **Completion Date**.
- (b) the period (in years) determines which column in the tables applies and this column shows (in the case of columns 2 to 6), the period (in months) from the contracted **Completion Date**.
- (c) the specific date by which a **User Progression Milestone** has to be achieved is derived by taking the period (in months) and working backwards from the **Completion Date** (or where staged, relevant **Completion Date**) in a **Connection Offer** to the date on which the **Connection Offer** is made by **The Company** to the **User**.

An alternative approach to that in (a) to (c) above can be requested by the **Applicant** as follows and will apply where this alternative approach is agreed between the **Applicant** and **The Company**.

Elected Milestone Approach

- (d) Under the elected milestone approach, where an **Applicant** considers that the scale and technology of its project is such that a particular period for the **User Progression Milestones** is more appropriate than that which would otherwise apply, the **Applicant** can in its **Connection Application**:
 - elect the period (in years) (as per row 1 in the **Conditional Progression Milestones** and **Construction Progression Milestones** tables below) that the **Applicant** wants to apply for the purposes of the **Queue Management Process**; and
 - in the programme submitted by the **Applicant** in accordance with Part D of the **Connection Application** propose the date by which **User Progression Milestone MS1** has to be achieved.

The date by which a **User Progression Milestone** has to be achieved for the elected milestones is then derived as follows:

- for **User Progression Milestone MS1** the date as proposed by the **Applicant** for the achievement of that **User Progression Milestone MS1**:
- for the other **User Progression Milestones**, by taking the months in the relevant column (the relevant column being that applying to the period (in years) elected by the **Applicant**) and working backwards from the contracted **Completion Date** to the date for **User Progression Milestone MS1**.

Proportionate Approach

In addition, where the effect of the election above is that the **User's** programme in years from the **Completion Date** to the specific elected date for achievement of **User Progression Milestone MS1** falls between the period (in years) as follows:

Milestones:	From 0-2 years (0-729 Days)	2+ years (730 1094 days)	3+ years (1095 – 1459 days)	4+ years (1460 – 1824 days)	5 years (1825 days +)
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then the period of time within which a **User Progression Milestone** has to be achieved will be calculated proportionally between the two column values and rounded to the nearest month. Where the **User's** programme is greater than 5+ years the 5+ year milestone period will be used.

- (ii) The changes shown in red and strikethrough to Section D of Exhibit B to the **CUSC**:

SECTION D. PROGRAMME

Please provide a suggested development and construction programme in bar chart form for the work necessary to install the **User Development** (not the **Transmission Connection Assets** needing to be installed) indicating the anticipated date when the connection will be required to be made and any other key dates such as back feed date.

If not already included in the above bar chart please provide details of when the **Applicant** expects to be completing the substantive works that lead to the completion of the following phases of the **User Development** or reach the following relevant key milestones below and other additional milestones as necessary (working backwards from expected connection date at 'year 0'). This information is expected to provide the anticipated project overview at the time of application:-

- In the case of a **Connection Site** located in **Offshore Waters**, procurement of Crown Estate lease
- Planning Application Submitted (Town & Country Planning*, S36,S37)
- Earliest date of entry into the **Offshore Tender Process**
- Planning Consent Awarded
- Plant Ordered (i.e. **Power Station** or substation)
- Construction Started (site mobilisation)

- Construction Completed

The **Applicant** can request the “elected milestone approach” and the application of the “proportionate approach” (as set out in **CUSC** Section 16 Paragraph 16.3) to derive the date by which a **User Progression Milestone** has to be achieved. Where the Applicant wishes to make this election it shall note this in the application explaining why the scope and technology of the **User Development** make this appropriate. The **Applicant** shall also include with the programme referred to above the **User Progression Milestones** and the proposed dates for these, specifically for **User Progression Milestone MS1** for discussion and agreement of this approach with **The Company**.

Notes

- * The consent for the **User's Power Station** granted under Section 36 of the Electricity Act or planning permission for the **User's Power Station** granted under the Town and Country Planning Act 1990 or any amendment thereto in England and Wales or the Town and Country Planning (Scotland) Act 1997 or any amendment thereto in Scotland.