

**Workgroup Consultation Response Proforma****CMP330: Allowing new Transmission Connected Parties to build Connection Assets greater than 2km in length & CMP374: 'Extending contestability for Transmission Connections.**

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 [cusc.team@nationalgrideso.com](mailto:cusc.team@nationalgrideso.com) by **5pm on 17 January 2022**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration by the Workgroup.

If you have any queries on the content of this consultation, please contact Ren Walker [Lurrentia.Walker@nationalgrideso.com](mailto:Lurrentia.Walker@nationalgrideso.com) or [cusc.team@nationalgrideso.com](mailto:cusc.team@nationalgrideso.com)

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**For reference the Applicable CUSC (charging) Objectives are:**

- 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;*
- 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 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;*
- d. *Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency; and*
- e. *Promoting efficiency in the implementation and administration of the system charging methodology.*

*\*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).*

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

Standard Workgroup Consultation questions		
1	Do you believe that the CMP330/CMP374 Original Proposal better facilitates the Applicable Objectives?	<p>We welcome the improved choice for customers in contestability of connection assets which CMP330/CMP374 seeks to deliver.</p> <p>We believe the revised proposals set out in this Workgroup Consultation, will now better facilitate the applicable objectives as noted below:</p> <p><i>a. Yes – The solution as now drafted offers those seeking to connect to the transmission network greater choice with regards to contestable build, and the potential to deliver their projects, and connections, cheaper and quicker, whilst facilitating increased competition.</i></p> <p><i>b. Neutral</i></p> <p><i>c. Yes</i></p> <p><i>d. Neutral</i></p> <p><i>e. Neutral</i></p>
2	Do you support the proposed implementation approach?	We agree with the proposed implementation approach on the basis that any consequential changes required to the STC and with the TOs are aligned with this CUSC Modification to facilitate implementation in line with the timescales set out.
3	Do you have any other comments?	In absence of any legal drafting at this stage it is expected there will be no impact on the charging boundary as previously proposed in order to implement the proposal.
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	No
Modification Specific Workgroup Consultation questions		
5	Do you agree with the proposed solution that one offer with two options (contestable/non-contestable) would represent the best approach?	Yes

6	<p>Should there be a process to allow subsequent applicants to take over the contestable build already negotiated with the TO? If so, should this process have a 'point of no return' where this option is restricted?</p>	<p>The principle of this proposal is to allow contestability in the construction of connection and non-shared infrastructure assets. In instances where a subsequent application is submitted to connect into works already agreed to be delivered by another user under a contestable build solution, then the works would no longer be defined as non-shared and therefore no longer subject to contestable build.</p> <p>Setting aside this point, IF such instances as described in this consultation were possible, then they should be restricted for consideration/and request by another party unless done so at an early stage of the development of the contestable works <u>and</u> it can be demonstrated that the alternative option by the subsequent applicant provides a more economic and efficient solution. Such instances should not detrimentally impact the initial applicant.</p>
7	<p>Are the proposed intervention criteria sufficient? Are there any additional criteria that should be considered? Please provide your views.</p>	<p>At a high level, we believe the proposed intervention criteria captures they key points for consideration. We would expect any legal drafting on the criteria to be explicit in that it is not limited to the list as outlined within Annex 4. We would also suggest timing of any intervention is a key consideration that must be clearly defined.</p>
8	<p>Do you agree that no additional safeguards are required for the delivery of non-shared Infrastructure Assets via contestable works? If not, what protections would you wish to see?</p>	<p>The terms and conditions set out within the adoption agreement should provide the risk mitigation to avoid any detrimental impact on the end consumer or onshore TO and their licence obligations.</p>
9	<p>Do you agree with the principles of what needs to be included in the Adoption agreement as set out in Annex 4.</p>	<p>At a high level, we agree with the proposed principles for what needs to be included within the adoption agreement. We would expect any legal drafting on the criteria to be explicit in that it is not</p>

		limited to the list as outlined within Annex 4.
10	A potential alternative solution is that the contestability could be limited to just 132kV in Scotland, which in the Proposer's view is in line with treatment of 132kV in England and Wales. Do you think this is appropriate? Please provide justification for your views.	We do not agree this would be an appropriate solution as it would introduce discriminatory treatment between parties seeking to connect and undertake contestability in England and Wales compared to those in Scotland. Contestability should be offered on fair and consistent terms in all licensed areas, where the criteria for undertaking contestable works has been met and Users have been assessed as technically competent to undertake the works at the relevant voltage.
11	Are there any issues for stakeholders to extend contestability to building assets above 132kV.	Under the current rules for connecting at transmission, Users are able to undertake the contestable build of connection assets above 132kV on the basis they meet the appropriate accreditation to undertake the works.
12	Will the CMP330/374 Original Proposal / possible alternatives impact your business. If so, how?	We believe the proposal to be a positive step forward for customer choice in the development of customer connections and will facilitate greater competition and more market opportunities.
13	Do you think this change will benefit your organisation, other organisations, or end consumers? Please provide evidence and/or examples to support this.	Yes – we are at the forefront of the development and construction of the renewable projects through our pioneering ideas and technical innovation. As a result, we are in an excellent position to undertake greater scope in contestable build of transmission assets. Having this option will not only create the opportunity for us to deliver our projects quicker and cheaper, but will drive more competition, create more market opportunities in the contractor sector and ultimately deliver benefits to the end consumer
14	Do you believe this proposal brings forward any additional risks of the Onshore TO's, other than those already identified? Do you think a license change is required to mitigate the risks fully?	None. We do not believe a licence change will be necessary. Any mitigation of risk to the TO should be clearly set out within the adoption agreement, CUSC and STC provisions.