

Workgroup Consultation Response Proforma

CMP427: Update to the Transmission Connection Application Process for Onshore Applicants

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 by **5pm on 26 January 2024**. 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 Catia Gomes catia.gomes@nationalgrideso.com or cusc.team@nationalgrideso.com.

Respondent details	Please enter your details	
Respondent name:	Garth Graham	
Company name:	SSE Generation	
Email address:	garth.graham@sse.com	
Phone number:	01738 456000	
Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network Operator <input checked="" type="checkbox"/> Generator <input type="checkbox"/> Industry body <input type="checkbox"/> Interconnector	<input checked="" type="checkbox"/> Storage <input type="checkbox"/> Supplier <input type="checkbox"/> System Operator <input type="checkbox"/> Transmission Owner <input type="checkbox"/> Virtual Lead Party <input type="checkbox"/> Other

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 CUSC (non-charging) Objectives are:

- a) The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;
- 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;
- c) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and
- d) Promoting efficiency in the implementation and administration of the CUSC arrangements.

*The Electricity Regulation referred to in objective (c) is Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast) as it has effect immediately before IP completion day as read with the modifications set out in the SI 2020/1006.

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 facilitate the Applicable Objectives?	Mark the Objectives which you believe each solution better facilitates: Original <input checked="" type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D Yes, whilst mindful of (and taking into consideration) our comments below we do believe that CMP427 does better facilitate the Applicable Code Objectives (a), (b) and (d) whilst being neutral in term of (c).
2	Do you support the proposed implementation approach?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We note that this proposal, if approved, would be implemented ten business days after an Authority decision, which we support.
3	Do you have any other comments?	Yes. We have examined the Templates and provide our version of them looking at them from the perspective of a party completing them (and how we can make it as seamless as possible for that party).
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 Click or tap here to enter text.

Specific Workgroup Consultation questions		
5	Do you believe that the proposed LoA meets the objectives set out by Ofgem and DESNZ in CAP? If not, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We are mindful of the joint position set out on pages 34-36 of the November 2023 Connections Action Plan and, in particular, that it is intended that the introduction of an LoA is one of a number of measures that are designed (according to DESNZ and the Authority) to 'raise entry requirements' which we are supportive of.

6	Do you believe that an LoA should have a validity period? If so, please provide a timescale and your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No From a practical perspective it makes sense that the letter, when submitted to the ESO as part of a connection application, is 'current' (i.e. it has been signed by the landowner or their representative, within a reasonable period of time prior to the application being submitted). With this in mind we think a letter should have been signed within a period no greater than 6 months prior to the connection application submission to the ESO. Having been submitted for a connection application then the LoA should remain a valid expression (that formal discussions - about the project - have taken place with the landowner or their representative) for the duration of the period that the application is being considered by the ESO (and the resulting Offer is issued and signed).
7	Do you agree, in principle, with the concept of an Energy Land Density table? If not, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We are mindful of the need (as expressed in the CAP) for the LoA to be both robust and effective. Accordingly, we agree with the principle for an Energy Land Density table to enable the ESO (and developers) to assess if the proposed connection application (in MW terms) can reasonably be located upon the land area for which the LoA (be that a single one or multiple versions) that is included with the application covers.
8	Do you agree with format and the categories proposed in the Energy Land Density table? If not, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We note that the proposed approach aligns with the existing ESO connection application types and as such we agree with the format and the categories.
9	Do you have different values that you can provide for the Energy Land Density table? If so, please provide your rationale.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10	Do you believe that the LoA should be in the	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	form of a standard template? If not, please provide your rationale.	<p>In our view; taking into account the need (as expressed in the CAP) for the LoA to be both robust and effective; it is important that the template is standard.</p> <p>Permitting variations (beyond the practical of names, addresses, land area, etc.,) will lead to more work (and risk – of application rejection) for the developer (User) as well as for the ESO which, in our view, would be neither robust of effective.</p>
11	Do you believe the use of the word “authorise” within the LoA, could have adverse legal consequences? If so, please provide your rationale.	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>We are concerned that the word ‘authorise’ may have connotations for the landowner which may lead to them being reluctant to sign the letter. With this in mind we would welcome further Workgroup consideration of this point.</p>
12	Do believe the proposed LoA template is suitable for all jurisdictions (England & Wales, and Scotland)? If not, please provide your rationale.	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Click or tap here to enter text.</p>
13	Do you believe that the technology type should be included in the LoA template? If you not, please provide your rationale.	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>There is no merit in the technology being specified in the LoA as it is already known to the ESO and runs the risk, inadvertently, of an unintended conflict between what is shown in the (non legally binding) LoA and the (legally binding) Connection Application.</p> <p>Overall, there is no net benefit associated with this being included in the LoA template.</p>
14	Do you consider the exemption approach to deal with exceptional circumstances appropriate? If not please provide your rationale.	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Yes, as there maybe exceptional situations where it is not practically / possible to obtain an LoA from the landowner(s) or their representative(s) at the time the connection application is submitted to the ESO.</p>

		<p>The introduction of the exemption approach linked (as is proposed) to an Authority decision to designate a party (or parties) to sign the 'template C' type document is, in our view, an appropriate way forward for exceptional circumstances.</p>
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