

Workgroup Terms of Reference and Membership

CM086: Introducing Competitively Appointed Transmission Owners & Transmission Service Providers

Responsibilities

1. The Workgroup is responsible for assisting the STC Modification Panel in the evaluation of STC Modification Proposal **Introducing Competitively Appointed Transmission Owners & Transmission Service** raised by **ESO** at the Modifications Panel meeting on **14 December 2022**. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable STC Objectives.

Applicable STC Objectives

- a) Efficient discharge of the obligations imposed upon transmission licensees by transmission licences and the Act
- b) Development, maintenance and operation of an efficient, economical and coordinated system of electricity transmission
- c) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the distribution of electricity
- d) Protection of the security and quality of supply and safe operation of the national electricity transmission system insofar as it relates to interactions between transmission licensees
- e) Promotion of good industry practice and efficiency in the implementation and administration of the arrangements described in the STC.
- f) Facilitation of access to the national electricity transmission system for generation not yet connected to the national electricity transmission system or distribution system;
- g) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.

Scope of work

2. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable STC Objectives.
3. In addition, the Workgroup shall consider and report on the following specific issues:

Workgroup Term of Reference

Location in Workgroup Report (to be completed at Workgroup Report stage)

| | |
|--|--|
| a) Implementation | |
| b) Review and support the legal text drafting; | |
| c) Ensure the appropriate Industry experts or stakeholders are engaged in the Workgroup to ensure that all potentially affected stakeholders have the opportunity to be represented in the Workgroup | |
| d) Consider the cross-code impacts that this modification has, with particular consideration of any consequential impacts to Grid Code, SQSS and CUSC | |
| e) Ensure that the proposed STC changes effectively implement the CATO regime in a proportionate manner, adopting minimum necessary change. | |

4. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative STC Modifications arising from Group discussions which would, as compared with the Modification Proposal or the current version of the STC, better facilitate achieving the Applicable STC Objectives in relation to the issue or defect identified.
5. **The extent of the support for the Modification Proposal or any alternative arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the STC Modification Panel.**
6. Workgroup members should be mindful of efficiency and propose the fewest number of alternatives possible.
7. All proposed alternatives should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes alternatives which are proposed by the entire Workgroup or subset of members.
8. Following the Consultation period, the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an

assessment of any WG Consultation Alternative Request, the Workgroup should consider whether it better facilitates the Applicable STC Objectives than the current version of the STC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or alternatives. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairperson has exercised his right under the STC to progress a WG Consultation Alternative Request or a alternative against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairperson is employed by the same organisation who submitted the WG Consultation Alternative Request.

9. The Workgroup is to submit its final report to the Modifications Panel Secretary on **TBC** for circulation to Panel Members. The final report conclusions will be presented to the STC Modification Panel meeting on **TBC**.

Membership

10. It is recommended that the Workgroup has the following members:

| Role | Name | Representing |
|---------------------------------|------|--------------|
| Chair | | |
| Technical Secretary | | |
| Proposer | | |
| Workgroup Member | | |
| Workgroup Member (Alternate) | | |
| Workgroup Member | | |
| Workgroup Member | | |
| Workgroup Member (Alternate) | | |
| Authority Representative | | |

NB: A Workgroup must comprise at least 3 members (who may be Panel Members). The roles identified with an asterisk in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

11. The chairperson of the Workgroup and the Modifications Panel Chairperson must agree a number that will be quorum for each Workgroup meeting. The agreed figure for this modification is that at least 3 Workgroup members must participate in a meeting for quorum to be met.

12. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each alternative. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference). The Workgroup chairperson shall not have a vote, casting or otherwise]. There may be up to three rounds of voting, as follows:
 - Vote 1: whether each proposal better facilitates the Applicable STC Objectives;
 - Vote 2: where one or more alternatives exist, whether each alternative better facilitates the Applicable STC Objectives than the original Modification Proposal;
 - Vote 3: which option is considered to BEST facilitate achievement of the Applicable STC Objectives. For the avoidance of doubt, this vote should include the existing STC baseline as an option.

The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.

13. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairperson at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.

14. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.

15. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.

16. The Workgroup membership can be amended from time to time by the STC Modifications Panel.