

CUSC Alternative Form – Non Charging

CMP427 Alternative Request 2:

Reasonable Minimum Acreage.

Overview: This solution seeks to strike a balance between demonstrating real landowner engagement without imposing an unduly high barrier to entry. It recognises the challenges of engaging with multiple landowners for an evolving project at an early (pre planning submission) stage. The key difference from the Original proposal is to apply a 50% multiplier to the minimum acreage – i.e. to partially reduce the threshold acres-per-MW-registered which appear in the Energy Land Density.

Proposer: Graham Pannell, BayWa r.e. UK Ltd.

I/We confirm that this Alternative Request proposes to modify the non - charging section of the CUSC only

Guidance for Alternative Proposers

Who can raise an Alternative? Any CUSC or BSC Party, or Citizens Advice can raise an Alternative Request in response to the Workgroup Consultation.

How do Alternative Requests become formal Workgroup Alternative Modifications? The Workgroup will carry out a Vote on Alternatives Requests. If the majority of the Workgroup members or the Workgroup Chair believe the Alternative Request will better facilitate the Applicable Objectives than the current version of the Code, the Workgroup will develop it as a Workgroup Alternative Modification.

Who develops the legal text for Alternatives? ESO will develop the Legal text for all Workgroup Alternative Modifications and will liaise with the Alternative Proposer to do so.

What is the proposed alternative solution?

Rationale

This proposal seeks to strike the right balance between demonstrating real landowner engagement against the practicalities of project development and engagement with multiple landowners.

There are energy parks with 10-20 separate landowners involved; for which requiring 100% returns of LoA is impractical and an undue barrier for these projects. Individual landowners may be unavailable, in transition or under a sale process, unresponsive or otherwise unable to provide a LoA, yet there may be sufficient LoA(s) to justify and progress a non-speculative project. This is particularly the case prior to submission for planning consent (landowners have joined or left projects close to the point of submission). It is noted that the M1 planning submission milestone can occur some time after a connection application is made, and therefore that some degree of uncertainty for a project with multiple landowners is likely at the time of making a connection application. It is also important to note that the M3 land rights milestone still applies in full.

This Alternative proposes that, rather than requiring LoAs for 100% of the area thought necessary for the plant type and MW requested, that instead a proportionate threshold value is set, to recognise these challenges.

For better certainty of connection design planning, this Alternative requires that the User's proposed site of connection (a single point within the proposed development) is to be within an area addressed by a LoA. This latter point aligns with how DNOs implement LoA.

Principle

It may be useful to distinguish two terms – these are not intended to be formally defined, just useful to better understand the text here:

Initial minimum value of acres-per-registered-MW: a reasonable low-end estimate of the area needed for each plant type, as may be updated from time to time.

LoA threshold acres-per-registered-MW: A de minimis value to progress with a connection application, set at a %-multiple of the initial minimum value.

Effect

In setting the threshold values of acres-per-registered-MW in the Energy Land Density table, the ESO will apply a 50% factor to its initial minimum values, where the initial minimum values are intended to be representative of the area required for each plant type in the table.

Furthermore, it is a requirement that the User's proposed on-site location of the connection is addressed by a LoA. For clarity, this refers to a singular point on a map (not a connection route).

The proposal is no more or less codified than the Original; where the Energy Land Density table remains in a guidance note, these threshold requirements remain similarly in a guidance note. However, if the ESO was to change the Original proposal to codify the table, then we would anticipate these thresholds to be similarly codified.

Example

For illustration, assume the Original is otherwise implemented as written in the WG consultation. The values in the proposed table become ‘initial minimum values’, and the published threshold values will be 50% of these; for example Onshore Wind is assigned an initial minimum value of 10 and therefore a published threshold value of 5.

What is the difference between this and the Original Proposal?

Replace the “table of typical acreages per technology type (minimum energy densities)” with a table showing de minimis thresholds for acceptable connection applications, which are set at 50% of the typical acreages per technology type (howsoever the latter is updated from time to time).

What is the impact of this change?

Proposer’s Assessment against CUSC Non-Charging Objectives	
Relevant Objective	Identified impact
(a) The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;	Positive/Negative/None: Improves on Original by setting a realistic threshold. Otherwise as per Original.
(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;	Positive/Negative/None: Improves on Original by setting a realistic threshold. Otherwise as per Original.
(c) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	Positive/Negative/None: As per Original.
(d) Promoting efficiency in the implementation and administration of the CUSC arrangements.	Positive/Negative/None: As per Original.
*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.	

