

Stage 06: Final CUSC Modification Self-Governance Report

Connection and Use of System Code

CMP216 Removal of references to BSUoS charges for Interconnector BM Units

What stage is this document at?

01	Initial Written Assessment
02	Workgroup Consultation
03	Workgroup Report
04	Code Administrator Consultation
05	Draft CUSC Modification Report
06	Final CUSC Modification Report

This Proposal seeks to remove references to Balancing Services Use of System charges for Interconnector BM Units to reflect that Interconnectors are no longer obliged to pay these charges.

Published on: 3rd April 2013
Date of CUSC Modifications Panel Vote: 22nd March 2013



The Panel has determined that:

CMP216 should be implemented as it better facilitates Applicable CUSC Objective (a)



Implementation:

Subject to any appeal, CMP216 will be implemented in November 2013.



High Impact:

None



Medium Impact:

None



Low Impact:

Interconnector BM Units

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Any Questions?

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Proposer:

Jenny Doherty

National Grid

About this document

This is the Final CUSC Modification Report which contains details of the Panel's determination in respect of CMP216, as well as responses to the Code Administrator Consultation. The report has been prepared and issued by National Grid as Code Administrator under the rules and procedures specified in the CUSC.

Document Control

Version	Date	Author	Change Reference
0.1	20 th February 2013	Code Administrator	Draft for Industry comment
0.2	14 th March 2013	Code Administrator	Version for Panel Vote
0.3	22 nd March 2013	Code Administrator	Version for Panel Comment
1.0	3 rd April 213	Code Administrator	Final Version for Publication

1 Summary

- 1.1 CMP216 aims to update Section 9 of the CUSC by removing references to Balancing Services Use of System (BSUoS) charges following the implementation of CMP202 in August 2012. The proposed implementation date is following Final Reconciliation for BSUoS charges. These proposed changes aim to keep Section 9 up to date and provide clarity within the CUSC.
- 1.2 CMP216 was proposed by National Grid and submitted to the CUSC Modifications Panel for their consideration on 25th January 2013. The Panel determined that the proposal should be sent to the Code Administrator Consultation phase for a period of 3 weeks and that it should report back to the CUSC Modification Panel in March 2013. The Panel also agreed that it should be progressed under the Self-Governance route. A Self-Governance Statement was sent to the Authority on 29 January 2013 and is included within Annex 3 of this document.
- 1.3 The Code Administrator Consultation closed on 19 February 2013, and there were 2 responses. Both responses supported the implementation of CMP216 and agreed that CMP216 should follow the Self-governance route. Copies of the representations are included in Annex 4.
- 1.4 This CUSC Modifications Report has been prepared in accordance with the terms of the CUSC. An electronic copy can be found on the National Grid website at www.nationalgrid.com/uk/Electricity/Codes, along with the CUSC Modification Proposal form.

National Grid's Opinion

- 1.5 National Grid supports the implementation of CMP216 as it better facilitates Applicable CUSC Objective (a) by improving clarity for CUSC Parties in line with the implementation of CMP202 in August 2012.

CUSC Modifications Panel Determination

- 1.6 At the meeting of the CUSC Modifications Panel on 22 March 2013, the Panel voted unanimously that CMP216 better facilitates the Applicable CUSC Objectives and so should be implemented. Further details of the voting can be found in Section 6.

Implementation

- 1.7 The 15 working day Self-governance appeal window commenced on 22nd March 2013 and closes on 16th April 2013. Pending any appeals, CMP216 will be implemented in November 2013 following the Final Reconciliation for BSUoS Charges.

2 Why Change?



- 2.1 CMP202 was implemented in August 2012 and removed the obligation for Interconnectors to pay Balancing Services Use of System (BSUoS) charges.
- 2.2 Section 9 of the CUSC has not been revised in response to the implementation of CMP202 and therefore still references the obligation for Interconnectors to pay BSUoS charges.
- 2.3 Interconnector Users and Error Administrators, who began using the National Electricity System (NETS) after the implementation of CMP202 in August 2012, are not obligated to pay BSUoS charges which is not currently clear.
- 2.4 CMP216 is being raised now to increase transparency of Interconnector obligations and to clearly demonstrate when the CUSC will reflect the implementation of CMP202.

What is BSUoS?

National Grid recovers the costs of balancing the system through BSUoS charges. BSUoS charges are paid for by all CUSC Parties, including Lead Parties for flows on Interconnector BM Units. The Statement of the Use of System Charging Methodology, now included as part of CUSC Section 14, includes a detailed methodology for the calculation of daily BSUoS charges and information on the timing of the charges. The Statement of the BSUoS Charging Methodology can be found at the following link: [CUSC Section 14](#)

3 Solution

- 3.1 The proposer's view is that references to BSUoS charges in Section 9 can be removed to solve this defect. This change will update the CUSC to provide clarity for Interconnector BM Units.
- 3.2 This modification seeks to remove Section 9.22 Use of System Charges – Balancing Services Use of System Charges, which refers to the obligation for Interconnector BM Units to pay BSUoS charges.
- 3.3 Paragraph 9.22.3 and 9.22.4 can both be removed as BSUoS and TNUoS charges are no longer obligations.
- 3.4 Proposed implementation for CMP216 is following Final Reconciliation for BSUoS charges, as until this point BSUoS obligations are still valid for Interconnector Users and Error Administrators paying BSUoS charges prior to the implementation of CMP202. Final Reconciliation for BSUoS charges is expected to be completed in November 2013 (date to be confirmed by ELEXON).

4 Impacts

Impact on the CUSC

- 4.1 CMP216 requires amendments to the following parts of the CUSC:
- Section 9
- 4.2 The text required to give effect to this proposal is contained in Annex 2 of this document.

Impact on Greenhouse Gas Emissions

- 4.3 The proposer has not identified any material impacts on Greenhouse gas Emissions

Impact on Core Industry Documents

- 4.4 The proposer has not identified any impacts on Core Industry Documents.

Impact on other Industry Documents

- 4.5 The proposer has not identified any impacts on other Industry Documents.

Costs

Industry costs (Standard CMP)	
Resource costs	£1,815 – 1 Consultation <ul style="list-style-type: none">• 1.5 man days effort per consultation response• 2 consultation respondents
Total Industry Costs	£1,815

5 Proposed Implementation

- 5.1 CMP216 will be implemented in November 2013 following the Final Reconciliation for BSUoS Charges. The exact date is to be confirmed by ELEXON.
- 5.2 All respondents to the Code Administrator Consultation supported this approach.

Assessment against Applicable CUSC Objectives

6.1 For reference, the Applicable CUSC Objectives are:

- (a) *the efficient discharge by the licensee of the obligations imposed upon it under the Act and by this 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.*

National Grid Opinion

6.2 National Grid supports the implementation of CMP216 as it better facilitates Applicable CUSC Objective (a) by updating the CUSC following the implementation of CMP202 which will provide clarity and visibility for CUSC parties.

CUSC Modifications Panel's view

6.3 At the meeting of the CUSC Modifications Panel on 22 March 2013, the Panel voted unanimously that CMP215 better facilitates the Applicable CUSC Objectives and so should be implemented. Details of the voting are set out in the tables below:

Panel Member	Better facilitates ACO (a)	Better facilitates ACO (b)?	Better facilitates ACO (c)?	Overall (Y/N)
Paul Jones	Yes, it improves clarity.	Neutral.	Neutral.	Y
Paul Jones for Simon Lord	Yes, as above.	Neutral.	Neutral.	Y
James Anderson	Yes, as it reduces the opportunity for misinterpretation.	Neutral.	Neutral.	Y
Ian Pashley	Yes, it improves clarity.	Neutral.	Neutral.	Y
Garth Graham	Yes, it reduces the opportunity for misinterpretation.	Neutral.	Neutral.	Y
Bob Brown	Yes, it improves clarity.	Neutral.	Neutral.	Y
Paul Mott	Yes, as above.	Neutral.	Neutral.	Y

7 Code Administrator Consultation Response Summary

Two responses were received to the Code Administrator Consultation. The following table provides an overview of the responses received. The full responses can be found in Annex 4.

Company Name:	EDF Energy	ScottishPower Energy Management
Do you believe that CMP216 better facilitates the Applicable CUSC Objectives as set out in paragraph 7.1?	Yes, as it better facilitates Applicable CUSC Objective (a) as it provides clarity for CUSC parties.	Yes, as it better facilitates Applicable Objective (a), ensures consistency and reduces the opportunities for misinterpretation of the Code.
Do you support the proposed implementation approach?	Yes	Yes
Do you agree with the decision to progress CMP216 through the Self-governance route?	Yes	Yes, primarily “housekeeping” exercise. There is no material impact.
Do you have any other comments?	No	No

CUSC Modification Proposal Form	CMP216
Title of the CUSC Modification Proposal: <i>(mandatory by Proposer)</i> Removal of references to BSUoS charges for Interconnector BM Units	
Submission Date <i>(mandatory by Proposer)</i> 17th January 2013	
Description of the CUSC Modification Proposal <i>(mandatory by Proposer)</i> These proposed changes aim to update Section 9 of the CUSC, the proposal reflects Interconnectors no longer being obligated to pay Balancing Services Use of System (BSUoS) charges following the implementation of CMP202 in August 2012. The proposed implementation date is after November 2013, due to being unable to remove references to BSUoS charges until final reconciliation is complete. The proposal is being raised now to provide visibility to the industry that BSUoS obligations for Interconnectors have been removed.	
Description of Issue or Defect that CUSC Modification Proposal seeks to Address: <i>(mandatory by Proposer)</i> Section 9 of the CUSC has not been revised following the implementation of CMP202 and therefore still references the requirement for Interconnector BM Units to pay BSUoS charges. Final reconciliation for BSUoS charges is estimated to be November 2013 (date to be confirmed by ELEXON). Implementation of this modification should follow final reconciliation as BSUoS obligations in the CUSC are still valid for existing Users prior to the implementation of CMP202. This proposal is being raised now to provide visibility of Interconnector BM Units' obligations, as users signing the CUSC after the implementation of CMP202 in August 2012 are not obligated to pay BSUoS charges. This proposal will run in conjunction with CMP215 which seeks to remove reference to Transmission Network Use of System (TNUoS) charges and Security Cover immediately , as final reconciliation has already been reached for TNUoS . For the avoidance of doubt, these modifications are not dependent upon one another.	
Impact on the CUSC <i>(this should be given where possible)</i> Removal of references in 9.19	

Removal of Sections:

- 9.22
- 9.23.3
- 9.23.4

Subsequent numbering updated in Section 9

Contents page updated

Do you believe the CUSC Modification Proposal will have a material impact on Greenhouse Gas Emissions? Yes/No *(mandatory by Proposer. Assessed in accordance with Authority Guidance – see guidance notes for website link)*

No

Impact on Core Industry Documentation. Please tick the relevant boxes and provide any supporting information *(this should be given where possible)*

BSC

Grid Code

STC

Other

(please specify)

Urgency Recommended: Yes / No *(optional by Proposer)*

No

Justification for Urgency Recommendation (mandatory by Proposer if recommending progression as an Urgent Modification Proposal)

N/A

Self-Governance Recommended: Yes / No (mandatory by Proposer)

Yes

Justification for Self-Governance Recommendation (Mandatory by Proposer if recommending progression as Self-governance Modification Proposal)

The proposed changes within the CUSC will not have any material effect on CUSC parties. The changes being proposed are to tidy up the CUSC in response to the implementation of CMP202.

Should this CUSC Modification Proposal be considered exempt from any ongoing Significant Code Reviews? (Mandatory by Proposer in order to assist the Panel in deciding whether a Modification Proposal should undergo a SCR Suitability Assessment)

Yes

Impact on Computer Systems and Processes used by CUSC Parties: (this should be given where possible)

N/A

Details of any Related Modification to Other Industry Codes (where known):

CMP215

Justification for CUSC Modification Proposal with Reference to Applicable CUSC Objectives: (mandatory by proposer)

Please tick the relevant boxes and provide justification:

(a) the efficient discharge by The Company of the obligations imposed upon it by the Act and the Transmission Licence

This modification will update the CUSC following the implementation of CMP202 which will provide clarity and visibility for CUSC parties.

(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.

These are defined within the National Grid Electricity Transmission plc Licence under Standard Condition C10, paragraph 1

Details of Proposer: (Organisation Name)	National Grid Electricity Transmission Ltd.
Capacity in which the CUSC Modification Proposal is being proposed: (i.e. CUSC Party, BSC Party or "National Consumer Council")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Jenny Doherty National Grid 01926654648 Jennifer.doherty@nationalgrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Emma Clark National Grid 01926 655223 emma.clark2@nationalgrid.com

Attachments (Yes/No):

If Yes, Title and No. of pages of each Attachment:

CMP202 Final Report

<http://www.nationalgrid.com/NR/rdonlyres/CF15507C-9149-4170-85D5-B167D968D9BC/54879/FinalCUSCModificationReport10.pdf>

Section 9, Paragraphs 9.16, 9.22 and 9.23

PART II - USE OF THE NATIONAL ELECTRICITY TRANSMISSION SYSTEM BY INTERCONNECTOR USERS AND INTERCONNECTOR ERROR ADMINISTRATORS

9.19 INTRODUCTION

This Part II deals with rights and obligations relating to use of the **National Electricity Transmission System** by **Interconnector Users** and **Interconnector Error Administrators**. An **Interconnector Error Administrator** is deemed to be using the **National Electricity Transmission System** because of its registered **BM Units** ~~in respect of which it has an obligation to pay~~ **Balancing Services Use of System Charges**. The **User** for the purposes of this Part II will therefore be an **Interconnector User** and/or an **Interconnector Error Administrator**. Where the **Interconnector Error Administrator** is **The Company**, the **User** for the purposes of this Part II will be **The Company**.

~~9.22 USE OF SYSTEM CHARGES—Balancing Services Use of System Charges~~

~~9.22.1 Subject to the provisions of the CUSC, together with the relevant Charging Statements, each User shall with effect from the relevant date set out in the relevant Use of System Interconnector Confirmation Notice given to a User be liable to pay to The Company in accordance with the CUSC in respect of each Settlement Day the Balancing Services Use of System Charges calculated in accordance with the Statement of the Use of System Charges Methodology.~~

~~9.22.2 The Company shall apply and calculate the Balancing Services Use of System Charges in accordance with the Statement of Use of System Charges and the Statement of the Use of System Charging Methodology.~~

~~9.22.3 Each User shall as between The Company and that User provide The Company with Security Cover in respect of Transmission Services Use of System Charges and Balancing Services Use of System Charges in accordance with the provisions of Part III of Section 3.~~

~~9.22.4 Paragraphs 3.21 to 3.24 (Credit Requirements) as they relate to Transmission Services Use of System Charges and Balancing Services Use of System Charges shall apply as if set out herein in full and as if references to Generators were references to Interconnector Users and to Interconnector Error Administrators (as the case may be).~~

~~(a) 9.22.5 Balancing Services Use of System Charges~~

~~(b) Notwithstanding the provisions of Paragraph 6.6.1 the following provisions shall apply to the payment of the Balancing Services Use of System Charges.~~

~~(i) (a) The Company shall not later than 17.00 hours on the relevant Notification Date (and if this is not practicable as soon as~~

~~possible thereafter as The Company, acting reasonably, considers is practicable) despatch an advice notice to the User in respect of the Settlement Day in relation to which the Balancing Services Use of System Charges are due on the relevant Payment Date.~~

- ~~(ii) (b) The information on the advice notice in respect of each Settlement Day shall include the name of the User and the total amount payable to The Company in respect of Balancing Services Use of System Charges and in all cases together with any Value Added Tax thereon during each Settlement Day.~~
- ~~(iii) (c) The Company shall, within a reasonable time thereafter provide a valid Value Added Tax invoice in respect of Balancing Services Use of System Charges identified on the advice note.~~
- ~~(iv) (d) The User shall pay the Balancing Services Use of System Charges specified in the advice notice together with the Value Added Tax thereon to The Company no later than 12.30 hours on the Payment Date specified on the advice note in respect of such Settlement Date as if they were payments made in the manner specified in Paragraph 6.6.3 of the CUSC.~~

~~(c) 9.22.6 Reconciliation~~

- ~~(d) As soon as reasonably practicable after receipt by The Company of the Final Reconciliation Volume Allocation Run in respect of a Settlement Day The Company shall prepare and submit to each Interconnector User a statement (which may form part of an invoice or other document) calculated in accordance with the data specified in the Statement of the Use of System Charging Methodology in respect of that Settlement Day ("Balancing Services Use of System Reconciliation Statement"), showing the new value (if any) of data (as specified in the Statement of the Use of System Charging Methodology in force on that Settlement Day) attributable to the User in respect of such Settlement Day and the amount of Balancing Services Use of System Charges payable by the User on the basis of the new value (the "Reconciled Charge").~~

~~(e) 9.22.7 In the event that:~~

- ~~(i) (a) the Reconciled Charge exceeds the Balancing Services Use of System Charges paid by the User in respect of that Settlement Day ("Initial Charge") The Company shall at its option either:
 - ~~• (i) send to the **User** as soon as reasonably practicable after issue of the **Balancing Services Use of System Reconciliation Statement** an invoice for the amount by which the **Reconciled Charge** exceeds the **Initial Charge** and interest thereon calculated in accordance with the provisions set out in Paragraph 9.22.8; or~~
 - ~~• (ii) include such amount in another invoice in respect of **Balancing Services Use of System Charges** to the **User**.~~~~
- ~~(ii) (b) the Reconciled Charge is less than the Initial Charge The Company shall at its option either:-
 - ~~• (i) send to the **User** as soon as reasonably practicable after issue of the **Balancing Services Use of System Reconciliation Statement** a credit note for the amount by which the **Initial Charge** exceeds the **Reconciled Charge** and interest thereon calculated in accordance with the provisions set out in Paragraph 9.22.8; or~~
 - ~~• (ii) include such amount as a credit in an invoice in respect of **Balancing Services Use of System Charges** from **The**~~~~

~~Company to the User.~~

- (f) ~~9.22.8~~ Interest payable in respect of each reconciliation payment shall accrue from and including the relevant Use of System Payment Date up to but excluding the date upon which the amounts specified in the Balancing Services Use of System Reconciliation Statement are paid, and shall be at a rate equal to the Base Rate for the time being and from time to time. Interest shall accrue from day to day.
- (g) ~~9.22.9~~ If The Company receives written notice from any User or from the relevant BSC Agent that an error has occurred in any data forming part of or used within the Initial Volume Allocation Run which affects the costs to The Company of offers and bids in the Balancing Mechanism accepted by The Company in respect of any Settlement Day, and that error has been ratified in accordance with the procedures for ratification set out in the Balancing and Settlement Code it shall use its reasonable endeavours to, as soon as reasonably practicable after receipt of such notice, issue a dispute reconciliation statement (“Dispute Statement”) to the User in respect of that Settlement Day.
- (h) ~~9.22.10~~ Any Dispute Statement issued pursuant to Paragraph 9.22.9 above shall show the amount of Balancing Services Use of System Charges payable by the User on the basis of the ratified data.
- (i) ~~9.22.11~~ (a) In the event that the amount shown in any Dispute Statement exceeds the aggregate amount paid by the User in respect of the Settlement Day to which the Dispute Statement relates under any invoices issued pursuant to Paragraph 9.22.5 and Paragraph 9.22.7 above (after taking into account any credit notes issued) The Company shall submit to the User a further invoice for such excess and interest thereon calculated in accordance with Paragraph 9.22.8;
- (b) In the event that the amount shown in any **Dispute Statement** is less than the aggregate amount paid by the **User** in respect of the **Settlement Day** to which the **Dispute Statement** relates under any invoices issued pursuant to Paragraph 9.22.5 and Paragraph 9.22.7 above (after taking into account any credit notes issued) **The Company** shall submit to the **User** a credit note for the amount by which the amount paid exceeds the amount shown in the **Dispute Statement** together with interest thereon calculated in accordance with Paragraph 9.22.8;
- (j) ~~9.22.12~~ If at any time prior to receipt by The Company of the Final Reconciliation Volume Allocation Run in respect of a Settlement Day The Company receives written notice from any User or the relevant BSC Agent of an error occurring in any data forming part of or used within the Initial Volume Allocation Run or the Reconciliation Volume Allocation Run which in either case affects the data (as specified in the Statement of the Use of System Charging Methodology) used in the calculation of Balancing Services Use of System Charges for that Settlement Day, which error:-
- (a) is not taken into account in the **Final Reconciliation Volume Allocation Run**; and
- (b) has been ratified in accordance with the procedures for ratification set out in the **Balancing and Settlement Code**,
- then **The Company** shall use its reasonable endeavours to prepare the **Balancing Services Use of System Reconciliation Statement** on the basis of the ratified data.

7.1.2 ~~9.22.13~~ ***The right to submit Balancing Services Use of System Reconciliation Statements and Dispute Statements and the consequential invoices and/or credit notes shall survive the termination of the User's rights under the CUSC and the parties agree that the provisions of this Paragraph 9.22 shall remain in full force and effect and shall continue to bind them after such termination (the version in existence as at the date of termination being the applicable version,***

~~in the case of any amendments).~~

7.1.3 ~~9.22.14~~ **Reconciliation Payments**

~~Each User, or as the case may be, The Company, shall pay the amounts set out in any invoice or credit note issued pursuant to Paragraphs 9.22.7 or 9.22.11 respectively above, either in accordance with the applicable requirements for payment of other sums due under that invoice in the case of sums shown in an invoice also dealing with other payments, or in other cases within 5 Business Days of the date of the Balancing Services Use of System Reconciliation Statement or Dispute Statement as appropriate.~~

7.1.4 ~~9.22.15~~ **Revision of Charges**

~~(a) (a) Subject to Paragraph (b) below, The Company shall give the User not less than 2 months prior written notice of any revision to the Statement of the Use of System Charging Methodology which will affect the application and calculation of the Balancing Services Use of System Charges, which notice shall specify the date upon which such revisions become effective (which may be at any time). The User shall pay any such revised charges with effect from the date specified in such notice.~~

~~(b) (b) Where in accordance with the Transmission Licence, the Authority determines a shorter period than two months for the implementation of a revision to the charges which will affect the application and calculation of the Balancing Services Use of System Charge, the notice period will be determined by the Authority. The notice will specify when the revision is effective and the User shall pay any such revised charges with effect from the date specified in such notice.~~

(c)

9.23 TERMINATION AND RELATED PROVISIONS

9.23.1 A User may terminate its use of the National Electricity Transmission System by giving The Company a Use of System Termination Notice not less than 28 days prior to such termination of use and the right to use the National Electricity Transmission System shall cease upon the termination date in the Use of System Termination Notice.

9.23.2.1 Use shall cease forthwith upon:

- (a) There ceasing to be a Bilateral Connection Agreement for the Connection Site of the relevant Interconnector;
- (b) disconnection of the Connection Site of the relevant Interconnector pursuant to Section 5;
- (c) an Event of Default by the User as provided for in Section 5.

9.23.2.2 Use shall be suspended for the period of any Deenergisation of the Connection Site of the relevant Interconnector pursuant to the CUSC.

~~9.23.3 Prior to termination by a User under Paragraph 9.23.1 above, the User shall pay to The Company all Balancing Services Use of System Charges payable by the User in respect of the Financial Year in which the cessation~~

~~takes place.~~

~~9.23.4 Termination of use under this Paragraph 9.23 shall not relieve a User of its obligation under 9.22 to pay any outstanding **Balancing Services use of System Charges** in respect of any **Settlement Day** for which the **Payment Date** fell after the date of the termination of use.~~



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29 January 2013
Reference: CMP216 Self-Governance Statement

www.nationalgrid.com

Dear Abid,

This is the CUSC Modifications Panel's Self-governance Statement to the Authority for CUSC Modification Proposal (CMP) 216 'Removal of References to BSUoS charges for Interconnector BM Units'. National Grid has prepared this Self-governance Statement on behalf of the CUSC Modifications Panel and submits it to you in accordance with CUSC Section 8.25.1.

On 25 January 2013 the CUSC Modifications Panel considered CMP216 and confirmed unanimously that it meets the Self-governance criteria.

As such, CMP216 is unlikely to discriminate between different classes of CUSC Parties and is unlikely to have a material effect on:

- i) Existing or future electricity customers;
- ii) Competition in the generation, distribution, or supply of electricity or any commercial activities connected with the generation, distribution or supply of electricity,
- iii) The operation of the National Electricity Transmission System
- iv) Matters relating to sustainable development, safety or security of supply, or the management of market or network emergencies
- v) The CUSC's governance procedures or the CUSC's modification procedures

The proposed timetable for the progression of CMP216 is as follows:

29 January 2013	Publish Code Administrator Consultation
19 February 2013	Code Administrator Consultation closes
22 February 2013	Draft CUSC Modification Report circulated
1 March 2013	Draft CUSC Modification Report comment deadline
14 March 2013	Submit final CUSC Modification Report
22 March 2013	CUSC Modifications Panel Determination

26 March 2013	Final Report circulated for Panel comment
4 April 2013	Deadline for Panel comment
16 April 2013	Appeal Window closes
Following Final Reconciliation for BSUoS	Implementation Date

The CMP216 form is available at

<http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/amendments/currentamendmentproposals/>.

If you require any further information please do not hesitate to contact me.

Yours Sincerely,

Emma Clark
CUSC Modifications Panel Secretary.

Annex 4 – Code Administrator Consultation Responses

Respondent:	Paul Mott
Company Name:	EDF Energy
Do you believe that CMP216 better facilitates the Applicable CUSC Objectives? Please include your reasoning.	<p>CMP202 was implemented in August and removed the obligation for Interconnectors to pay BSUoS charges. Section 9 of the CUSC hasn't yet been revised in response to the implementation of CMP202 and therefore still references the obligation for Interconnectors to pay BSUoS charges. Once Final Reconciliation for BSUoS charges is completed in November 2013, Section 9.22 Use of System Charges – Balancing Services Use of System Charges, which refers to the obligation for Interconnector BM Units to pay BSUoS charges, can be removed. Indeed, it can be removed now, in a change which has immediate effect for new interconnectors that were not connected in August, and with delayed effect (from November) for existing interconnectors.</p> <p>EDF Energy supports the implementation of CMP216 as it better facilitates Applicable CUSC Objective (a) by updating the CUSC following the implementation of CMP202. This provides clarity for CUSC parties - the existing situation as regards the words in Section 9, could be quite confusing for newcomers.</p> <p>For reference, the Applicable CUSC Objectives are:</p> <p><i>(d) the efficient discharge by the licensee of the obligations imposed upon it under the Act and by this licence;</i></p> <p><i>(e) 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.</i></p> <p><i>(c) compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.</i></p>
Do you support the proposed implementation approach? If not, please state why and provide an alternative suggestion where possible.	Yes
Do you agree with the decision to progress CMP216 through the Self-governance route?	Yes
Do you have any other comments?	No

Respondent:	James Anderson; james.anderson@scottishpower.com
Company Name:	ScottishPower Energy Management
Do you believe that CMP216 better facilitates the Applicable CUSC Objectives? Please include your reasoning.	<p>For reference, the Applicable CUSC Objectives are:</p> <p><i>(f) the efficient discharge by the licensee of the obligations imposed upon it under the Act and by this licence;</i></p> <p><i>(g) 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.</i></p> <p><i>(c) compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.</i></p> <p>ScottishPower supports the Proposal and believes that it meets the Applicable CUSC Objective (a) in this instance. Updating the relevant sections of the CUSC due to the recent changes (CMP202) ensures consistency and reduces the opportunities for misinterpretation of the Code.</p>
Do you support the proposed implementation approach? If not, please state why and provide an alternative suggestion where possible.	Yes
Do you agree with the decision to progress CMP216 through the Self-governance route?	Yes, as this is primarily a “housekeeping” exercise. There is no material impact caused by this Modification.
Do you have any other comments?	No other comments.