nationalgrid

Stage 02: Workgroup Consultation

Connection and Use of System Code (CUSC)

CMP254

‘Addressing discrepancies in disconnection/de-energisation remedies’

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

CMP254 seeks to bring the CUSC in line with the DCUSA in regards to Supplier’s rights under their Supply Contract and the Electricity Act 1989 to disconnect an indebted customer.

This document contains the discussion of the Workgroup which formed on 6th November 2015 to develop and assess the proposal. Any interested party is able to make a response in line with the guidance set out in Section 7of this document.

Published on: **26th November 2015**
Length of Consultation: **15 Working Days**
Responses by: **17th December 2015**

High Impact: *Consumers*

Medium Impact: *Suppliers*

Low Impact:

Contents

About this document

This document is a Workgroup consultation which seeks the views of CUSC and interested parties in relation to the issues raised by the Original CMP254 CUSC Modification Proposal which was raised by Paul Mott, EDF Energy and developed by the Workgroup. Parties are requested to respond by **5pm** on **17th December 2015** to CUSC.team@nationalgrid.com using the Workgroup Consultation Response Proforma which can be found on the following link:

http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/CUSC/Modifications/CMP254/

Document Control

Version	Date	Author	Change Reference
0.3	19/11/2015	Code Administrator	Draft Workgroup Consultation to Workgroup for comment
1.0	26/11/2015	Code Administrator	Workgroup Consultation to Industry

Any Questions?

Contact:
Heena Chauhan

Code Administrator

heena.chauhan@nationalgrid.com

07811 356637

Proposer:
Paul Mott
EDF Energy
Tel: 0203 126 2314
paul.mott@edfenergy.com

1 Summary

1.1 This document describes the Original CMP254 CUSC Modification Proposal (the Proposal), summarises the deliberations of the Workgroup and sets out the options for potential Workgroup Alternative CUSC Modifications (WACMs). Prior to confirming any alternative proposals the Workgroup are seeking views on the options they have identified, what is the best solution to the defect and also any other further options that respondents may propose.

1.2 CMP254 was proposed by EDF Energy and was submitted to the CUSC Modifications Panel for their consideration on 30th October 2015. A copy of this Proposal is provided within Annex 1. The Panel agreed with the Proposers request that the Proposal be developed and assessed against the CUSC Applicable Objectives in accordance with an urgent timetable. This request for 'urgency' was however rejected by Ofgem who instead recommended that the Workgroup follow an accelerated timetable. The Workgroup is required to consult on the Proposal during this period to gain views from the wider industry (this Workgroup Consultation). Following this Consultation, the Workgroup will consider any responses; vote on the best solution to the defect and report back to the Panel at a Special CUSC Panel meeting on 18th January 2016.

1.3 CMP254 aims to bring the CUSC in line with the DCUSA in regards to Supplier's rights under their Supply Contract and the Electricity Act 1989 to disconnect an indebted customer.

1.4 This Workgroup Consultation has been prepared in accordance with the terms of the CUSC. An electronic copy can be found on the National Grid Website, http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/CUSC/Modifications/CMP254/ along with the Modification Proposal Form.

2 Background

Under the terms of the Electricity Act 1989 and Suppliers' contracts with their customers, a Supplier has the right to disconnect a customer site from the electricity network should their electricity charge for the customer's site be unpaid to the Supplier.

For domestic and small business customers, a Supplier can undertake this action. However, for larger customers connecting at higher voltages, assistance is required from the DNO or SO (and in turn the relating TO).

In the case of a distribution connected customer this process is governed by the DCUSA, placing an obligation on the DNO to undertake a disconnection/de-energisation. For a transmission related customer as disconnection would require the physical removal of assets (which is a costly and timely process to carry out or reverse), the Supplier would look to request the de-energisation of a customer site. The de-energisation of a customer would involve the opening of switchgear (e.g. circuit breakers) to prevent the flow of energy. However, no such process or obligation is set out for such a de-energisation of a transmission connected customer (Non-Embedded Customer) under the CUSC. To overcome this issue, EDF Energy has proposed to modify the CUSC to introduce arrangements for this (CMP254). Details of this proposal are highlighted in section 4.

CMP254 has been discussed as part of an industry Workgroup, the discussions of which are summarised in Section 5, with areas of discussion including:

a) The nature of any existing mechanisms (e.g. under the DCUSA or BSC);
b) The impact of the proposal on any customers connecting to a private network operated by the defaulting party;
c) The need to undertake de-energisation in a safe and environmentally friendly manner; and
d) Any technical or legal issues that may have an implication on de-energisation.

The Proposer clarified during the Workgroup deliberations that CMP254 would apply to the 'de-energisation' of a customers' site(s) and was not related to the permanent 'disconnection' of the site(s). Both 'de-energisation' and 'disconnection' are defined terms in the CUSC (Section 11).

3 Why Change

3.1 The Proposer has highlighted that there is a gap in the current industry arrangements in how a Supplier's right to disconnect an indebted customer pursuant to the Supplier's rights under its Supply Contract, or the Electricity Act 1989[1], is given effect for network operators at different voltage levels.

3.2 For a distribution-connected customer, if it fails to pay its debts to its Supplier, its Supplier can (subject to certain conditions) disconnect the customer's site from the electricity network. This may usually be practical for domestic and small business customers, where most Suppliers will have suitable operatives, or could use a suitable contractor. However, for customers energised at higher voltages, safety of the disconnection/de-energisation process becomes a concern and special skills are needed; therefore the Supplier is able to use the industry rules to request that the DNO de-energises the customer's site on the Supplier's behalf (at the Supplier's cost) – via a specific provision in DCUSA.

3.3 For Non-Embedded Customers, known in the CUSC as "Non-Embedded Customers", the skill level to effect a de-energisation is much higher, and specialist very high voltage qualifications are needed to do so safely, held in essence almost entirely by transmission company employees. No Supplier will have the skills to disconnect them itself for non-payment of debts. There may occasionally be issues concerning access to a site to de-energise or disconnect at an electrical boundary within the private large-industry site. A network company will generally be able to de-energise or disconnect from its own equipment external to the customer's site. There should be a specific provision in CUSC to mirror that in DCUSA, but there isn't. The defect is the lack of this equivalent right via the industry rules to enable Suppliers to request that the transmission network company de-energises such customers.

3.4 If not addressed, Suppliers will be unwilling to supply Non-Embedded Customers at all, or will only do so on onerous advance-payment, perhaps premium, terms, harming such customers as a class – their trade association has expressed concerns about these customers facing some green/policy-related costs that their industrial competitors overseas, using "dirtier" electricity, don't; and the viability of their operations in Britain is strongly related to their Supply costs. Smaller Suppliers, where generally active in the Industrial & Commercial market segment, may well feel unable to participate in the market to supply Non-Embedded Customers under CUSC baseline, damaging competition in Supply.

3.5 If the defect identified in CMP254 is not addressed, a risk thus exists which is likely to increase costs for Suppliers and for consumers in particular (pass-through of risk in premium or credit requirement), or consumers in general (if a Supplier fails as a result of its indebtedness from such a customer, reducing competition). The most effective way of addressing this risk is for the person responsible for managing and operating the connection to the electricity network to de-energise the non-paying Non-Embedded Customer, to prevent further indebtedness to the Supplier from building up.

3.6 The BSC has provision (Section H 3.2.1(d), "Consequences of Default") for the BSC Panel to require, with prior approval from Ofgem, a Transmission Company or a Distribution System Operator to de-energise plant or apparatus (comprising BM Units) of a defaulting party (generally speaking this means a defaulting Supplier, and this includes disconnection of any of its customers that are grid-connected, among others). This part of the BSC adds that the Transmission Company and DSOs all "hereby irrevocably and unconditionally consent to such de-energisation" ". The relevance of this is that it means the Transmission Company is already compelled to have staff able to deliver de-energisation of Non-Embedded Customers in a timely manner on request, so this CMP254 proposed solution

[1] Under Schedule 6, F6 of The Electricity Act 1989 confirms where a customer has not paid within 28 days of the payment due date its Supplier may either install prepayment meter or initiate disconnection.

does not require the Transmission Company to develop additional skills, resources or procedures and plans beyond those which it must already have in place for BSC purposes.

4 Proposed Solution

4.1 The proposal as raised asks that words be inserted into the CUSC of similar form to those in DCUSA (section 25.2 onwards, as part of DCUSA section 25 “Energisation, De-Energisation And Re-Energisation”) as to de-energisation of a customer by the networks firm where a Supplier requests it due to bad debt. This ensures consistency with the way this matter is treated in DCUSA.

4.2 The legal text suggested by the Proposer in the mod proposal, closely based on DCUSA wording, is as below:

4.2.1 The Company shall, to the extent that it may lawfully do so, at the request of the User, when the User is entitled to have carried out Energisation Works, De-energisation Works and Re-energisation Works, carry out such works at the cost of the User within a reasonable time or, in circumstances of urgency, as soon as is reasonably practicable.

4.2.2 The Company shall if requested by the User, inform the User of its reasonable requirements for the details by reference to which Metering Points or Metering Systems to be Energised, De-energised or Re-energised are to be identified.

Duty to Indemnify

4.2.3 Where the Company carries out Works on behalf of the User (as above), the Company shall indemnify the User against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arising from, or incurred by the User as a consequence of, physical damage to the property of the User, its officers, employees or agents, and in respect of the liability of the User to any other person for loss in respect of physical damage to the property of any person, in each case as a consequence of acting contrary to an accurate and appropriate instruction to De-energise a Metering Point or Metering System;

4.2.4 Save for any matters arising from or in connection with the negligent act or omission or default of the Company, its officers, employees or agents, the User shall indemnify the Company against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arising from, or incurred by the Company as a consequence of, physical damage to the property of the Company, its officers, employees or agents, and in respect of the liability of the Company to any other person for loss in respect of physical damage to the property of any person, in each case as a consequence of acting in reliance on any instructions given by the User to the Company which are materially inaccurate or misleading;

and

4.2.5 Where the User requests the Company to Energise, De-energise or Reenergise a single point of connection that is both an Exit Point and an Entry Point, the User shall also indemnify the Company against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage made against or incurred or suffered by the Company and resulting directly from such Works howsoever arising (including, where the User is Registered in respect of the Exit Point, any claim by the User Registered in respect of the Entry Point, and vice versa) except insofar as such actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arise from the negligent act or omission or default of the Company, its officers, employees or agents.

5 Summary of Workgroup Discussions

5.1 This section provides information regarding what the Workgroup have discussed in relation to this proposal. The points discussed concerned a number of different areas as presented below.

Existing disconnection/de-energisation mechanisms

5.2 The Workgroup considered how the existing disconnection/de-energisation process under the DCUSA works in practice, particularly the level of notification that is required to ensure that any disconnection/de-energisation is undertaken in a safe and controlled manner.

5.3 Some Workgroup members described the process that Suppliers would follow to request a de-energisation of distribution-connected business customers. Under this scenario the Supplier would issue the customer with a notice of de-energisation and inform the DNO the details of the meter for which it requires the supply to be de-energised. The DNO would then proceed with the fulfilling the request. Suppliers said that their experience is that DNOs do not usually require evidence, as the DNO relies on the indemnity under the DCUSA to protect it from any resulting liability, therefore being able to assume that the Supplier has undertaken appropriate checks, controls, and communications.

5.4 The Workgroup also considered the requirement that National Grid has to de-energise a Supplier's customer(s) site(s) upon the Supplier falling into financial default under the BSC. Under BSC Section H 3.2.1, the (BSC) Panel can instruct the SO to de-energise Plant or Apparatus comprising one or more BMUs for which the lead party is in default of the BSC, but only with prior approval of the Authority. Upon such an instruction, the SO shall use all reasonable endeavours to comply as quickly as practicably as possible.

5.5 One Workgroup member had discussed de-energisation procedures when initiated under BSC Section H prior to the first workgroup meeting and was advised by Elexon a relevant procedure was Elexon's BSC Procedure (BSCP) 15. However, it was noted that this procedure relates to de-registering a BMU (metered site) for settlement purposes which actually occurs post –disconnection. It was suggested that BSCP515 which explains disconnection arrangements for distribution connected sites is more relevant. It was noted that a Supplier's customers would almost all be distribution connected. Elexon hasn't felt the need to produce a procedure to expand on BSC Section H regarding de-energisation of transmission connected sites. Elexon would certainly need to be involved from a Settlement administration and meter de-registration perspective in the event of disconnection. The Proposer clarified that the intention of the proposed changes under CMP254 would not give effect to disconnection. Instead a Supplier's instruction would be to de-energise a site until it is satisfied that the reason for doing so has been resolved, and its instruction to the SO to re-energise the site is actioned. Elexon would not have any role in the CMP254 de-energisation process.

Impact of the CMP254 proposal

5.6 The Workgroup considered the potential impact of the proposal. The National Grid representative highlighted that this issue potentially affected 15 connections to its network providing supplies to private sector companies, although others connecting premises operated by public sector bodies also exist.

5.7 The Proposer explained that under the existing arrangements, if, as under baseline (existing) CUSC, a Non-Embedded Customer site cannot be de-energised in the event it is not paying its electricity bills, this could have a significant financial impact on its Supplier, as a typical value of the electricity consumption of one of these sites could be in the region of £1m per week. To offset this risk, Suppliers may be unwilling to supply Non-Embedded Customers at all, or may only do so on more onerous or premium terms.

5.8 Whilst the Workgroup recognised that there was a need to protect Suppliers from related losses, some members raised concerns regarding the potential de-energisation of downstream customers (those whose electricity supply is tied in to a Non-Embedded Customer's private network, where there is no alternative means of supply). These downstream customers could be paying the Non-Embedded Customer) for their power supply in good faith, unaware of the connectee's financial problems, and that disrupting their supplies would damage the downstream customers' business. Some members of the group believed that this was a risk that these businesses accepted when opting to connect in this manner and such a risk would be addressed within their bilateral commercial arrangements. It was suggested that this was no different than other 'landlord' type arrangement at, for example, business parks, office blocks or shopping malls. Other members of the group noted that some of these private network connections have been in existence for a long time, even prior to privatisation of the electricity network; although it was also noted that this would have been taken into consideration when Parliament approved the Electricity Act 1989 rights for Suppliers to disconnect for non-payment. Some members of the group believed that the de-energisation process should provide downstream customers with a period of time to allow commercial and physical solutions to be negotiated with the Supplier, with whom they currently do not have a relationship, and with the Non-Embedded Customer who owns the private network assets and has the relationship with the downstream customers, prior to de-energisation of the supply from the transmission network.

5.9 It was noted that the issue of there being other "downstream" customers on the primary (on-paying) customer's site, as a private network connection, also exists for DNO connected customers; the text in DCUSA enabling the Supplier to disconnect the primary DNO connected customer makes no reference or special provision to these privately connected downstream customers. It was also noted that some DNO connections can be to quite large sites, being at 132 kV in England and Wales; sites connected at 132 kV, covered by DCUSA in England and Wales, would be covered by CMP254, if passed, in Scotland.

5.10 It was noted by two attendees at the first workgroup meeting, that if a downstream customer had the right of veto for a period of time over de-energisation of the non-paying Non-Embedded Customer site, a perverse incentive could be for Non-Embedded Customer sites to encourage the setting-up of downstream customers on their site (maybe even through within group structuring), perhaps giving free access to their network for this purpose, as a form of protection/delay against possible de-energisation if the host Non-Embedded Customer site got into financial difficulties.

5.11 The Workgroup considered whether downstream customers had a legal right to a continued supply in the event a Supplier wished to de-energise the Non-Embedded Customer for non-payment. One member stated that in the case of a distribution connected customer who pays its bills, it is the DNO that has an obligation to keep supplies to its connectees in place, whilst it is the SO's requirement to keep supplies to the DNO (the Non-Embedded Customer) in place; assuming that the same rights and obligations transfer across, it would be the owner of a private network that is required to keep supplies to downstream customers in place. It was highlighted that in not paying their Supplier, the private network owner would be failing to fulfil its obligation of continued supply to its downstream customers due to the Supplier's right to disconnect under the Electricity Act. One member highlighted that the requirements surrounding the provision of third party access to licence exempt electricity and gas networks[2] under the EU Third Package has affected the rights of downstream customers, as these now allow downstream customers to demand at any time their own settlement metering and at any time select their own Supplier. It was noted that this wouldn't necessarily solve the risk that downstream customers are carrying where

[2] https://www.gov.uk/government/publications/provision-of-third-party-access-to-licence-exempt-electricity-and-gas-networks-revised-version12

there is still a rigid, in physical terms (lacking sufficient switchgear), private network so that the power supplies to the downstream customers cannot be kept intact whilst de-energising the main Non-Embedded Customer whose private network it is, where the Supplier of that Non-Embedded Customer is not being paid for the ongoing electricity demand.

5.12 The Workgroup discussed the possibility of enabling dialogue between the downstream customers and the Supplier with the aim of reaching a commercial or physical arrangement to avoid de-energisation of their individual sites. The National Grid representative highlighted that the lack of visibility of downstream customers presented an issue. It was noted that either National Grid or the Supplier should be kept informed of who such customers were, should they exist as this could have safety implications. The Proposer advocates an obligation on all Non-Embedded Customers, of which there are 15, to keep National Grid informed at all times of the identity and, ideally, contact details of any downstream customers on their sites. One member of the Workgroup did not believe that this was relevant until the point of de-energisation, and that the Non-Embedded Customer should only be obligated to provide such information upon receipt of the de-energisation notice. Other members of the Workgroup pointed out that if the Non-Embedded Customer was in financial difficulty, the customer could be in a state of turmoil, with administration staff not necessarily at their posts (or somewhat distracted by implications of events for their own personal careers/futures), putting the rapid delivery of accurate information in "real time" at risk. It was suggested by these members that the information should be provided up front and kept up to date. There was some discussion surrounding whether this information should be provided to the SO or the Supplier. One view was that if the Supplier had this information, they could inform these customers earlier, before de-energisation was permitted under the contract terms, or under the Electricity Act, to enable any dialogue regarding continued supply to occur earlier. A counter argument to this was raised by Suppliers, was that their contract with the Non-Embedded Customer would invariably prevent sharing such information. However, others, including the Proposer, felt that this best sat with National Grid as the party coordinating the de-energisation with the TOs.

5.13 The Workgroup discussed the procedure that would be undertaken in the event that the SO had de-energised a site following a Supplier's instruction, and the customer paid its bills. It was noted that it would be in the best interests of all concerned to arrange re-energisation as quickly as possible, due to financial and reputational drivers. However, it was noted that dialogue with customers would be required to decide the appropriate timing.

5.14 The Workgroup considered whether a Non-Embedded Customer not paying their Supplier should be considered an Event of Default under the CUSC. This would enable the SO to draw on any securities it holds against Termination Amounts to ensure that the Non-Embedded Customer's connection is funded should it be wound up. The Workgroup felt that this was not necessary, as for those required to post security, the failure to pay any connection charges is in itself an Event of Default, which would enable the SO to draw upon any security should this occur.

Additional consultation question Q6 – Are you aware of any legislation that provides a right of continued supply to downstream customers in the event of non-payment by the Non-Embedded Customer? Please provide evidence.

Additional consultation question Q7 – Are there any circumstances under which you believe downstream customers or their interests should be allowed to prevent, veto or delay the execution of this instruction to de-energise their host site? Please provide the evidence to support such intervention.

Additional consultation question Q8 - Should there be an appeals process for the de-energisation instruction? If so, please describe what the process should be e.g. criteria allowing appeal, timing (before or after de-energisation), etc.

Safety, Environmental and Technical considerations

5.15 The Workgroup discussed the potential safety and technical implications associated with the de-energisation of a Non-Embedded Customer (and potential their downstream customers).

5.16 Some of the Workgroup accepted that there was a need to have a process in place for Suppliers to be able to protect their risk in the event of insolvency/non-payment, but also argued that de-energisation could result in a variety of technical, environmental and safety implications that would require careful consideration.

5.17 The National Grid representative highlighted that safety was the primary concern when undertaking any type of work on the Transmission System, and would be reluctant to undertake a de-energisation/re-energisation if it didn't think it was safe to do so. It was noted that there were already processes in place to undertake de-energisation and re-energisation safely (e.g. in the event of system outages), and that the same processes would be applied should a Supplier instruct such an action.

5.18 The Workgroup discussed the overriding obligation on businesses to de-energise in a safe and environmentally friendly manner, in particular to meet legislation. One member was able to confirm that their business had a 5 year rolling plan that was continuously reviewed allowing any changes to be assessed. This considered a number of power outage scenarios, but concerns were raised that in some cases this may not consider an enduring interruption of supply. The Proposer noted that an unforeseen and prolonged power cut could happen at any time (e.g. in the event of a serious equipment fault, adverse weather condition or a blackout) and that system restoration after a national blackout is could to take up to 7 days[3]. He argued that a Supplier instructed de-energisation should be more manageable as customers would know when to expect this due to, he suggested, 24 hours' prior notice generally being able to be provided.

5.19 It was noted that the Electricity Act allows for 7 days' notice of a disconnection/de-energisation to be provided by a Supplier to the customer. Some Workgroup members noted that whilst this was in fact the default level, some sites sign up to lesser terms in exchange for a cheaper energy tariff. It was noted that these customers would only be signing up to such terms should their sites be able to cope in a safe manner with such a shorter notice period. Others believed that there needed to be adequate safety checks in place before proceeding with any de-energisation, regardless of the terms in their supply contract.

5.20 In relation to technical issues, it was highlighted that there are customer sites in existence in which customers rather than the SO/TO have control over the manual switching of circuit breakers that would typically be used to de-energise their site. In these cases, it would still be possible to de-energise the site, but this may place the connections of other Users of the transmission network at risk. It was highlighted that as this equipment is often on the customer's land, legal action may be required to gain access to undertake a de-energisation without affecting other Users.

5.21 One Workgroup member stated that he believed that some DNOs have downstream connections (i.e. connections to the DNO) on private networks from Non-Embedded Customer sites, and that it would not be in the public interest to de-energise the relevant Non-Embedded Customers as this would cause power cuts in the relevant parts of the DNO network that rely on the DNO's connection to the Non-Embedded Customer's private network. One Workgroup member suggested that in the context of it 'not being in the public interest to de-energise such connections' it should be noted that Parliament (in granting this power under the Electricity Act) has already opined that it is in the public interest that such de-energisation takes place where non-payment arises. Some Workgroup members questioned whether this was actually the case, or whether it was the case that the Non-

[3] It was noted that the Governments current planning assumption for GB is 5 days.

Embedded Customer had both an HV feed for its industrial purposes and an LV feed for lighting, etc. in which case the DNO would not be reliant on this connection. Since this discussion, the National Grid representative has investigated, and whilst there is no evidence of the exact scenario described, one was uncovered in which the TO-owned circuit breaker controlled flows to both a DNO and a Non-Embedded Customer. In this scenario, each customer has their own circuit breaker to de-energise their site in the event of a fault or as they require, but the SO cannot de-energise one customer without de-energising the other.

5.22 Similarly, de-energisation of some sites may result in operational issues on the Gas Transmission Network, which could disrupt gas supplies. Some of the Workgroup noted that there was an over-arching requirement to keep the gas flowing, and under these circumstances it would be difficult for the SO to fulfil a Supplier's request to de-energise a site.

Additional consultation question Q9 – Do you believe that there are additional steps that need to be taken to identify and communicate safety or environmental issues?

Additional consultation question Q10 - Do you believe that there are additional steps that need to be taken to identify and communicate technical issues?

Additional consultation question Q11 - Do you believe that there are additional steps that need to be taken to identify and communicate any other (e.g. commercial) issues?

Additional consultation question Q12 - Given your views on the questions above, whose responsibility, if anyone's, is it to identify, notify and assess the impact on downstream customers and what should the timings around this be?

Additional consultation question Q13 - Do you have any further views on how the de-energisation process and any notifications should work e.g. in relation to the impact on downstream Users?

Insolvency

5.23 The Workgroup noted that under the Insolvency Act (as amended in October 2015), provided an Insolvency Practitioner paid ongoing energy charges, the supply to that site cannot be de-energised, even if the customer did not pay its bills prior to Insolvency. It was noted that this scenario may need to be considered within the legal drafting.

5.24 The Workgroup also considered whether Insolvency of a Non-Embedded Customer would affect any rights a downstream customer of its private network has to its supply as this could potentially lead to their disconnection, should the assets be sold to a third party for scrap or use elsewhere. However, it was noted that if downstream customers valued their connection, then they would look to purchase the private network from the receiver.

Cost Recovery

5.25 The Workgroup discussed the proposal for the relevant Supplier to reimburse the SO for any costs incurred in undertaking the de-energisation of one of its customers upon its request. The Workgroup agreed that this concept was sensible.

5.26 The Workgroup also considered the scenario in which a customer connected to a non-National Grid-owned transmission network is de-energised. In this case, the Supplier

would still pay the SO for the cost of undertaking the de-energisation and the SO would use this to cover any charges it incurs from the relevant TO via the STC.

Indemnities

5.27 The Proposer highlighted (providing text to this effect, sourced from DCUSA) the need for the Supplier instructing de-energisation to indemnify the SO for any resulting liabilities that it may incur as a result of doing so (providing the SO has acted appropriately), and that the SO should indemnify the Supplier for any physical loss, damage, etc. to it or its representatives as a result of not undertaking the de-energisation as instructed. The Workgroup generally felt that this seemed reasonable.

5.28 The National Grid representative did highlight that there is an existing indemnity in place under Section 6.12 of the CUSC. However, it was acknowledged that additional wording may be required to cover the act of a Supplier instructing the SO to undertake a de-energisation, as its right to de-energise falls outside the CUSC. The National Grid representative also highlighted the need to consider the role of the TO in any indemnities. Under the existing frameworks, it is expected that indemnities between Users and TOs are provided indirectly via the SO (via the CUSC and SO-TO Code).

5.29 The Proposer and National Grid representative agreed to consider possible drafting further to determine what changes to the CUSC were required to provide the necessary indemnities.

Review draft legal text

5.30 Legal text will be developed once the Original and any Alternative CUSC Modifications have been fully developed.

Implementation

The Proposer suggested a 5 Business Day implementation period. It was noted that none of the SO's IT systems should be require changing to implement the changes.

6 How to respond to this consultation

6.1 This Workgroup is seeking the views of CUSC Parties and other interested parties in relation to the issues noted in this document and specifically in response to the questions highlighted in the report and summarised below:

Standard Workgroup Consultation questions;

Q1: Do you believe that CMP254 Original proposal, or any potential alternatives for change that you wish to suggest, better facilitates the Applicable CUSC Objectives?

Q2: Do you support the proposed implementation approach?

Q3: Do you have any other comments?

Q4: Do you wish to raise a Workgroup Consultation Alternative request for the Workgroup to consider? Please see 6.3.

Specific CMP254 Workgroup Consultation questions:

Q5: How many days would the industry require to implement this proposal? Proposal is 5 Business days; the standard is 10 Business days. Ofgem's direction is to follow an accelerated, not standard, timetable.

Q6: Are you aware of any legislation that provides a right of continued supply to downstream customers in the event of non-payment by the Non-Embedded Customer? Please provide evidence.

Q7: Are there any circumstances under which you believe downstream customers or their interests should be allowed to prevent, veto or delay the execution of this instruction to de-energise their host site? Please provide the evidence to support such intervention.

Q8: Should there be an appeals process for the de-energisation instruction? If so, please describe what the process should be e.g. criteria allowing appeal, timing (before or after de-energisation), etc.

Q9: Do you believe that there are additional steps that need to be taken to identify and communicate safety or environmental issues?

Q10: Do you believe that there are additional steps that need to be taken to identify and communicate technical issues?

Q11: Do you believe that there are additional steps that need to be taken to identify and communicate any other (e.g. commercial) issues?

Q12: Given your views on the questions above, whose responsibility, if anyone's, is it to identify, notify and assess the impact on downstream customers and what should the timings around this be?

Q13: Do you have any further views on how the de-energisation process and any notifications should work e.g. in relation to the impact on downstream Users?

Please send your response using the response proforma which can be found on the National Grid website via the following link:
http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/CUSC/Modifications/CMP254/

6.2 In accordance with Section 8 of the CUSC, CUSC Parties, BSC Parties, the Citizens Advice and the Citizens Advice Scotland may also raise a Workgroup Consultation Alternative Request. If you wish to raise such a request, please use the relevant form available at the weblink below:

http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/amendments/forms_guidance/

6.3 Views are invited upon the proposals outlined in this report, which should be received by **5pm** on **17th December 2015**. Your formal responses may be emailed to: cusc.team@nationalgrid.com

6.4 If you wish to submit a confidential response, please note that information provided in response to this consultation will be published on National Grid's website unless the response is clearly marked "Private & Confidential", we will contact you to establish the extent of the confidentiality. A response market "Private & Confidential" will be disclosed to the Authority in full but, unless agreed otherwise, will not be shared with the CUSC Modifications Panel or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

6.5 Please note an automatic confidentiality disclaimer generated by your IT System will not in itself, mean that your response is treated as if it had been marked "Private and Confidential".

7 Glossary / Acronyms

Authority	Ofgem
BMU	Balancing Mechanism Unit
BSC	Balancing and Settlement Code
CUSC	The Connection and Use of System Code
DCUSA	Distribution Connection and Use of System Agreement
De-energisation	The movement of any isolator, breaker or switch of the removal of any fuse whereby no electricity can flow to or from the relevant system through the User's equipment.
Disconnection	Permanent physical disconnection of equipment
DNO	Distribution Network Operator
Downstream customer	A consumer who is a customer of, usually, the Non-Embedded Customer, usually located on the Non-Embedded Customer's site and always using the Non-Embedded Customer's private network for its electricity supply; typically has no relationship at all with the Supplier to the Non-Embedded Customer, or any other Supplier.
DSO	Distribution System Operators
NETSO	National Electricity Transmission System Operator
Non-Embedded Customer	A customer receiving electricity directly from the National Electricity Transmission System irrespective of from whom it is supplied.
SO	System Operator
STC	System Operator -Transmission Owner Code
TO	Transmission Owner
User	A person who is a party to the CUSC Framework Agreement other than National Grid
WACM	Workgroup Alternative CUSC Modification. This is an alternative modification to the CUSC Modification Proposal developed by the Workgroup under the Workgroup terms of reference.

Annex 1 – CMP254 CUSC Modification Proposal Form

CUSC Modification Proposal Form CMP254

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Connection and Use of System Code (CUSC)

Title of the CUSC Modification Proposal

Addressing discrepancies in disconnection/de-energisation remedies

Submission Date

22nd October 2015

Description of the Issue or Defect that the CUSC Modification Proposal seeks to address

There is a gap in the current industry arrangements in how a Supplier's right to disconnect an indebted customer pursuant to the Supplier's rights under its Supply Contract or the Electricity Act 1989 is given effect.

- For a distribution-connected customer, if it fails to pay its debts to its Supplier, its Supplier can (subject to certain conditions) disconnect it. This may usually be practical for domestic and small business customers, where most Suppliers will have suitable operatives, or can hire a bailiff/agent. However, for customers energised at higher voltages, safety becomes a concern and special skills are needed; therefore the Supplier is able to use the industry rules to request that the DNO de-energises it on the Supplier's behalf (at the Supplier's cost) – via a specific provision in DCUSA.

- For transmission-connected customers, known in the CUSC as "non-embedded customers", the skill level to effect a disconnection is much higher and specialist very high voltage qualifications are needed to do so safely, held in essence almost entirely by transmission company employees. No Supplier will have the skills to disconnect them itself for non-payment of debts. There may occasionally be issues concerning access to a site to de-energise or disconnect at an electrical boundary *within* the private large-industry site. A network company will generally be able to de-energise or disconnect from its own equipment external to the site. There should be a specific provision in CUSC to mirror that in DCUSA, but there isn't. The defect is the lack of this equivalent right via the industry rules to enable Suppliers to request that the transmission network company de-energises such customers.

- If not addressed, Suppliers will be unwilling to supply non-embedded customers at all, or will only do so on onerous advance-payment, perhaps premium, terms, harming such customers as a class – they already face some green/policy-related costs that their industrial competitors overseas, using "dirtier" electricity, don't; and the viability of their operations in Britain is strongly related to their Supply costs. Smaller Suppliers, where generally active in the I&C market segment, may well feel unable to participate in the market to supply non-embedded customers under CUSC baseline, damaging competition in Supply.

- If not addressed, a risk thus exists which is likely to increase costs for suppliers and for

consumers in particular (pass through of risk in premium or credit requirement), or consumers in general (if risk is shared with other customers by supplier, or passed through to all parties if the supplier fails, reducing competition). The most effective way of addressing this risk is for the person responsible for managing and operating the connection to de-energise the non-embedded customer.

• Note that the BSC has provision (section 3.2.2 (d)) for the BSC Panel to require, with prior approval from Ofgem, a Transmission Company or a Distribution System Operator to de-energise plant or apparatus (comprising BM Units) of a defaulting party (generally speaking this means a defaulting Supplier, and this includes disconnection of any of its customers that are grid-connected, among others). And the transmission company and DSOs all "consent" in the BSC wording, to this. The relevance of this is that it means the Transmission Company is *already* compelled to have staff able to deliver de-energisation of transmission-connected customers in a timely manner on request, so this CUSC mod does not require it to develop additional skills, resources or procedures and plans beyond those which it must already have in place for BSC purposes.

Description of the CUSC Modification Proposal

It is suggested that words be inserted into the CUSC of similar form to those in DCUSA (*section 25.2 onwards, as part of DCUSA section 25 "Energisation, De-Energisation And Re-Energisation*") as to de-energisation of a customer by the networks firm where a Supplier requests it due to bad debt.

The form of these words is for debate at a workgroup. We offer below the form of words in the DCUSA, as a possible framework in developing legal text for this CUSC mod :

The Company shall, to the extent that it may lawfully do so, at the request of the User, when the User is entitled to have carried out Energisation Works, De-energisation Works and Re-energisation Works, carry out such works at the cost of the User within a reasonable time or, in circumstances of urgency, as soon as is reasonably practicable.

The Company shall if requested by the User, inform the User of its reasonable requirements for the details by reference to which Metering Points or Metering Systems to be Energised, De-energised or Re-energised are to be identified.

Duty to Indemnify

Where the Company carries out Works on behalf of the User (as above), the Company shall indemnify the User against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arising from, or incurred by the User as a consequence of, physical damage to the property of the User, its officers, employees or agents, and in respect of the liability of the User to any other person for loss in respect of physical damage to the property of any person, in each case as a consequence of acting contrary to an accurate and appropriate instruction to De-energise a Metering Point or Metering System;

Save for any matters arising from or in connection with the negligent act or omission or default of the Company, its officers, employees or agents, the User shall indemnify the Company

against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arising from, or incurred by the Company as a consequence of, physical damage to the property of the Company, its officers, employees or agents, and in respect of the liability of the Company to any other person for loss in respect of physical damage to the property of any person, in each case as a consequence of acting in reliance on any instructions given by the User to the Company which are materially inaccurate or misleading;

and

Where the User requests the Company to Energise, De-energise or Reenergise a single point of connection that is both an Exit Point and an Entry Point, the User shall also indemnify the Company against all actions, proceedings, costs, demands, claims, expenses, liability, loss or damage made against or incurred or suffered by the Company and resulting directly from such Works howsoever arising (including, where the User is Registered in respect of the Exit Point, any claim by the user Registered in respect of the Entry Point, and vice versa) except insofar as such actions, proceedings, costs, demands, claims, expenses, liability, loss or damage arise from the negligent act or omission or default of the Company, its officers, employees or agents.

Impact on the CUSC

Section 5 of the CUSC (events of default, de-energisation, and disconnection) will need amendment – currently it only allows for disconnection in the case of bad debt in relation to charges collected by The Company, and not in relation to charges payable to a Supplier.

Do you believe the CUSC Modification Proposal will have a material impact on Greenhouse Gas Emissions? No

Include your view as to whether this Proposal has a quantifiable impact on greenhouse gas emissions : No

Impact on Core Industry Documentation. Please tick the relevant boxes and provide any supporting information

BSC ☐

Grid Code ☐

STC ☐

Other ☐
(please specify)

NGET may not wish to send staff to disconnect non-embedded customers in Scotland when it is obliged to do so, or where the switchgear is remotely-controlled it may not always be able to do remotely because the remote switchgear is controlled from a Scottish control point, but this would not be a new issue created by this mod : the STC should already allow for Grid to request disconnections by Scottish TOs, to deliver Grid's obligations under the CUSC where a

non-embedded customer fails to pay National Grid its transmission bills, and to deliver Grid's obligations under the BSC (the BSC has provision for the BSC Panel to require, with prior approval from Ofgem, a Transmission Company or a Distribution System Operator to de-energise plant or apparatus (comprising BM Units) of a defaulting party (generally speaking this means a defaulting Supplier, and this includes disconnection of any of its non-embedded customers, among others). And the transmission company and DSOs all "consent" in the BSC wording, to this). If the STC does not make allowance for this, then it is already flawed with regards to the situation without this new CUSC mod, and would need amendment accordingly.

Urgency Recommended: Yes

We suggest that this is debated at the CUSC panel where process is determined

Justification for Urgency Recommendation

If you have answered yes above, please describe why this Modification should be treated as Urgent.

The gap we have identified in the industry framework means that there is a risk to suppliers in relation to non-payment by large non-embedded customers. This can lead to significant commercial impacts on suppliers and so needs to be addressed urgently.

Self-Governance Recommended: Yes

We suggest that this is debated at the CUSC panel where process is determined; there does seem to be a case for self-governance as the change would merely ensure that the existing provisions of the electricity act are physically able to be safely delivered, in the rare event of a large customer being unable to pay its Supplier for its electricity.

Justification for Self-Governance Recommendation

If you have answered yes above, please describe why this Modification should be treated as Self-Governance.

There does seem to be a case for self-governance as the change would merely ensure that the existing provisions of the electricity act are physically able to be safely delivered, in the rare event of a large customer being unable to pay its Supplier for its electricity)

A Modification Proposal may be considered Self-governance where it is unlikely to have a material effect on:

- Existing or future electricity customers;
- Competition in generation or supply;
- The operation of the transmission system;
- Security of Supply;
- Governance of the CUSC
- And it is unlikely to discriminate against different classes of CUSC Parties.

Should this CUSC Modification Proposal be considered exempt from any ongoing Significant Code Reviews?

There is no current CUSC SCR

Impact on Computer Systems and Processes used by CUSC Parties:

None

Details of any Related Modification to Other Industry Codes

None

Justification for CUSC Modification Proposal with Reference to Applicable CUSC Objectives:

This section is mandatory. You should detail why this Proposal better facilitates the Applicable CUSC Objectives compared to the current baseline. Please note that one or more Objective must be justified.

Please tick the relevant boxes and provide justification:

There is no actual way to tick the boxes on this electronic document, and no tick-in-a-box symbol that one can insert from any font either, so we have written “yes” or “no”

NO (a) the efficient discharge by The Company of the obligations imposed upon it by the Act and the Transmission Licence

YES (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**.

Reason : If not addressed, Suppliers will be unwilling to supply such customers at all, or will only do so on onerous advance-payment, perhaps premium, terms, harming such customers as a class – they already face many green/policy-related costs that their industrial competitors overseas, using “dirtier” electricity, don’t, and the viability of their operations in Britain is acutely related to their Supply costs. **Smaller Suppliers, where generally active in the I&C market segment, are probably unable to participate in the market to supply transmission-connected customers under CUSC baseline, damaging competition in Supply**.

NO (c) compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.

Additional details

Details of Proposer: (Organisation Name)	EDF Energy
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:	Paul Mott, EDF Energy, 0203 126 2314, paul.mott@edfenergy.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Mark Cox, EDF Energy, 01452658415 Mark.Cox@edfenergy.com
Attachments (No): **If Yes, Title and No. of pages of each Attachment:**	

Contact Us

If you have any questions or need any advice on how to fill in this form please contact the Panel Secretary:

E-mail cusc.team@nationalgrid.com

Phone: 01926 653606

For examples of recent CUSC Modifications Proposals that have been raised please visit the National Grid Website at http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/CUSC/Modifications/Current/

Submitting the Proposal

Once you have completed this form, please return to the Panel Secretary, either by email to jade.clarke@nationalgrid.com and copied to cusc.team@nationalgrid.com, or by post to:

Jade Clarke
CUSC Modifications Panel Secretary, TNS
National Grid Electricity Transmission plc
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

If no more information is required, we will contact you with a Modification Proposal number and the date the Proposal will be considered by the Panel. If, in the opinion of the Panel Secretary, the form fails to provide the information required in the CUSC, the Proposal can be rejected. You will be informed of the rejection and the Panel will discuss the issue at the next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform you.

Annex 2 – CMP254 Terms of Reference

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Workgroup Terms of Reference and Membership
TERMS OF REFERENCE FOR CMP254 WORKGROUP

CMP254 aims to bring the CUSC in line with the DCUSA in regards to Supplier's rights under their Supply Contract and the Electricity Act 1989 to disconnect and indebted customer. CMP254 had originally been requested to be progressed as an urgent modification and had been supported by the CUSC Panel. However, Ofgem have rejected this request from the CUSC Panel but do support an accelerated timetable.

Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modifications Panel in the evaluation of CUSC Modification Proposal **CMP254 'Addressing discrepancies in disconnection / de-energisation remedies'** tabled by EDF Energy at the CUSC Modifications Panel meeting on 30th October 2015.

2. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives. These can be summarised as follows:

   Applicable CUSC Objectives

   (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.

3. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

Scope of work

4. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.

5. In addition to the overriding requirement of paragraph 4, the Workgroup shall consider and report on the following specific issues:

   a) Implementation
   b) Review draft legal text

c) *Consider how the legal text from DCUSA would map across to the CUSC.*
d) *What are the circumstances in which a customer would be disconnected?*
e) *How would ongoing connection charge liabilities be handled?*
f) *What happens if there are technical or safety issues associated with de-energisation?*
g) *What will the arrangements be around de-energisation?*
h) *What arrangements are in place in the event of re-energisation (NEW)*
i) *What technical /commercial / safety provisions need to be considered ahead of de-energisation and the impact on downstream customers?*
j) *What arrangements are in place for insolvency and adherence to the amended insolvency act as amended in October 2015.*
k) *Who is the party that is going to pay for the actual de-energisation activities?*

6. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.

7. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives, as compared with the Modification Proposal or the current version of the CUSC. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.

8. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.

9. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.

10. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be for a period of 15 Working days as determined by the Modifications Panel.

11. 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 CUSC Objectives than the current version of the CUSC.

12. As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. 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 chairman has exercised his right under the CUSC to progress a WG Consultation Alternative Request or a WACM against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairman is employed by the same organisation who submitted the WG Consultation Alternative Request.

13. The Workgroup is to submit its final report to the Modifications Panel Secretary on 24th November 2015 for circulation to Panel Members. The final report conclusions will be presented to the CUSC Modifications Panel at a special Panel meeting on 14th January 2016.

Membership

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

Role	Name	Representing
Chairman	John Martin	Code Administrator
*National Grid Representative**	Wayne Mullins	National Grid
*Industry Representatives**	Paul Mott (Proposer)	EDF Energy
	George Douthwaite	Npower
	Alison Meldrum	Tata steel
	Grant Holland	BOC
	Garth Graham	SSE
Authority Representatives	Dominic Green	Ofgem
Technical secretary	Heena Chauhan	Code Administrator

NB: A Workgroup must comprise at least 4 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.

15. The Chairman of the Workgroup and the Modifications Panel Chairman must agree a number that will be quorum for each Workgroup meeting. The agreed figure for CMP254 is that at least 4 Workgroup members must participate in a meeting for quorum to be met.

16. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. 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 chairman 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 CUSC Objectives;
- Vote 2: where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal*;*
- Vote 3: which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC 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.

17. 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 chairman 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.

18. 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.

19. 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.

20. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.

Appendix 1 – Indicative Workgroup Timetable

The following timetable is indicative for CMP254

22nd October 2015	CUSC Modification Proposal and request for Urgency submitted
30th October 2015	CUSC Panel considers Proposal and request for Urgency
30th October 2015	Request for Workgroup members (3 Working days)
30th October 2015	Panel's view on urgency submitted to Ofgem for consideration
5th November 2015	Ofgem view on urgency provided
6th November 2015	Workgroup meeting 1
9th November 2015	Workgroup meeting 2
16th November 2015	Workgroup meeting 3
26th November 2015	Workgroup Consultation issued (15 Working days)
17th December 2015	Deadline for responses
6th January 2016	Workgroup meeting 4
8th January 2016	Workgroup meeting 5 (if required)
14th January 2016	Workgroup report issued to CUSC Panel
18th January 2016	Workgroup report presented to CUSC Panel (Special CUSC Panel meeting)

Post Workgroup modification process

19th January 2016	Code Administrator Consultation issued (10 Working days)
2nd February 2016	Consultation closes

3rd February 2016	Draft FMR published for industry comment
4th February 2016	Deadline for comments
5th February 2016	Draft FMR issued to Panel
8th February 2016	Panel Recommendation Vote
8th February 2016	Final FMR circulated for Panel comment
9th February 2016	Deadline for Panel comment
10th February 2016	Final report sent to Authority for decision
16th March 2016	Indicative Authority Decision due
30th March 2016	Implementation Date

Annex 3 – Workgroup attendance register

A – Attended
X – Absent
O – Alternate
D – Dial-in

Name	Organisation	Role	6th Nov 2015	9th Nov 2015	16TH Nov 2015
John Martin	National Grid	Chair	A	A	A
Heena Chauhan	National Grid	Technical Secretary	A	A	A
Paul Mott	EDF Energy	Proposer	A	A	A
Wayne Mullins	National Grid	Workgroup member	A	A	A
George Douthwaite (Alternate: Rob Coombes)	NPower	Workgroup member	O	O (D)	X
Grant Holland	BOC	Workgroup member	D	D	D
Alison Meldrum	Tata Steel	Workgroup member	D	D	D
Garth Graham (Alternate: Angus MacRae)	SSE	Workgroup member	X	X	O
Dominic Green (Alternate: Edda Dirks)	Ofgem	Authority Representative	O	A	A