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Abid Sheikh
Industry Codes Manager
Ofgem
By email

11th March 2016

Dear Abid

CUSC Modifications Panel Views on Urgency for CMP261 'Ensuring the TNUoS paid by Generators in GB in Charging Year 2015/16 is in compliance with the €2.5/MWh annual average limit set in EU Regulation 838/2010 Part B (3)'.

On 8th March 2016, SSE raised CMP261, with a request for the proposal to be treated as an Urgent CUSC Modification Proposal. The CUSC Modifications Panel ("the Panel") considered CMP261 and the associated request for urgency at the CUSC Modifications Panel meeting held on 9th March 2016. This letter sets out the views of the Panel on the request for urgent treatment and the procedure and timetable that the Panel recommends.

Request for Urgency

The Panel considered the request for urgency with reference to Ofgem's Guidance on Code Modification Urgency Criteria. The majority view of the Panel is that CMP261 SHOULD NOT be treated as an Urgent CUSC Modification Proposal.

In the discussion, members of the Panel also noted a few concerns over granting urgency, set out below;

- Using an urgent process holds an inherent risk of unintended consequences, which may arise due to there being insufficient time for all aspects of a Modification Proposal to be considered;
- Urgency creates a situation with short consultation periods, which could result in parties being less aware of significant market changes.
- Some felt that standard generator reconciliation in the 2016/17 charging year may resolve the defect.
- It would seem appropriate to align the CMP261 and the CMP251 Workgroups.

Procedure and Timetable

Having decided not to recommend urgency to Ofgem, the Panel discussed an appropriate process for CMP261. The Panel agreed that CMP261 would require a Workgroup and subject to Ofgem's decision on Urgency should follow the attached accelerated timetable, which would result in the modification being aligned with the CMP251 Workgroup. This was agreed by majority view.

Please do not hesitate to contact me if you have any questions on this letter or the proposed process and timetable. I look forward to receiving your response.

Yours sincerely

A handwritten signature in black ink, appearing to read "M. Toms". The letters are connected and stylized, with a long horizontal stroke at the end.

Michael Toms
CUSC Panel Chair

Appendix: Proposed timetable

8 th March 2016	CUSC Modification Proposal and request for Urgency submitted
9 th March 2016	CUSC Panel considers Proposal and request for Urgency
11 th March 2016	Request for Workgroup members
11 th March 2016	Panel's view on urgency submitted to Ofgem for consideration
15 th March 2016	Ofgem view on urgency provided
21 st March 2016	Workgroup meeting 1
6 th April 2016	Workgroup meeting 2
18 th April 2016	Workgroup Consultation issued
10 th May 2016	Deadline for responses
13 th May 2016	Workgroup meeting 3
20 th May 2016	Workgroup report issued to CUSC Panel
23 rd May 2016	Workgroup report presented to CUSC Panel
25 th May 2016	Code Administrator Consultation issued
9 th June 2016	Consultation closes
13 th June 2016	Draft FMR published for industry comment
14 th June 2016	Deadline for comments
16 th June 2016	Draft FMR issued to Panel
24 th June 2016	Panel Recommendation Vote
25 th June 2016	Final FMR circulated for Panel comment
4 th July 2016	Deadline for Panel comment
7 th July 2016	Final report sent to Authority for decision
11 th August 2016	Authority Decision due
25 th August 2016	Implementation Date