

CUSC Amendment Proposal Form	CAP049
Title of Amendment Proposal: Alternative Amendments	
Description of the Proposed Amendment (mandatory by proposer): <p>This Amendment proposes to amend the definition of Alternative Amendments contained in the CUSC to make clear that Alternative Amendments may be developed by a Working Group as well as being put forward during industry consultation. Two new definitions will also be added to section 11 to define two new types of Alternative Amendment, namely a "Working Group Alternative Amendment" and a "Consultation Alternative Amendment". National Grid will carry out a separate consultation on any Consultation Alternative Amendments received, but further Consultation alternative amendments will not be accepted during this period. Consultation Alternative Amendments must be transparent and it will not be possible to apply the confidentiality provisions of CUSC to them. The definition of "Alternative Amendment" will be modified so that it may be used in CUSC where appropriate to mean collectively any Working Group or Consultation Amendment Proposal.</p>	
Description of Issue or Defect that Proposed Amendment seeks to Address (mandatory by proposer): <p>Following consideration of a number of CUSC Amendment Proposals to date, it has become apparent that the definition of "Alternative Amendments" (as currently set out in Paragraph 8.20.2 (e) of the CUSC) is incorrect as it implies that an Alternative Amendment may only be developed during the consultation stage and not raised or developed by a Working Group. However, Paragraph 8.17.1 of the CUSC indicates that the key role of a working Group is to assist the Panel in "evaluating whether an Amendment Proposal better facilitates achieving the Applicable CUSC Objectives and whether an Alternative Amendment would, as compared with the Amendment Proposal, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified in the Amendment Proposal." The Governance Standing Group recommended that the CUSC should be clarified to make it clear that Working Groups should be free to develop Alternative Amendments and the CUSC Amendments Panel agreed with this recommendation.</p> <p>In addition, at present there is no provision for Alternative Amendments that are put forward by individual CUSC Parties at the end of the consultation period to be seen and commented on by CUSC Parties before the Amendment Report stage. This Amendment Proposal will enable CUSC Parties to consider such Consultation Alternative Amendments. The proposal also confines the number of Consultation Amendment Proposals that CUSC Parties can put forward to the first consultation phase so that the process is not prolonged indefinitely. In the interests of transparency, the proposal will also not permit Consultation Alternative Amendments to be subject to the confidentiality provisions within CUSC.</p>	
Impact on the CUSC (this should be given where possible): <p>Paragraph 8.20.2 (e) of the CUSC would require amendment to give effect to the change proposed. Two new definitions would also be required in section 11 and amendment of one existing definition. Consequential changes to sections 8.17, 8.19 and 8.23 will be needed to reflect the newly defined terms. The draft text to give effect to this proposal is contained in Annex 1.</p>	
Impact on Core Industry Documentation (this should be given where possible): None.	
Impact on Computer Systems and Processes used by CUSC Parties (this should be given where possible): None.	
Details of any Related Modifications to Other Industry Codes (where known): None.	