



## **AMENDMENT REPORT VOLUME 2**

### **CUSC Amendment Proposal CAP180 Amendment to the CUSC Governance Process**

**This document contains consultation responses**

Amendment Ref	CAP180
Issue	V1.0
Date of Issue	19 <sup>th</sup> May 2010
Prepared by	National Grid

## **ANNEX 1 - REPRESENTATIONS RECEIVED DURING CONSULTATION**

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 03/03/2010, requesting comments by close of business on 24/03/2010).

Representations were received from the following parties:

<b>No.</b>	<b>Company</b>	<b>File Number</b>
1	Consumer Focus	CAP180-CR-01
2	EDF Energy	CAP180-CR-02
3	ScottishPowers's Energy Wholesale Business which includes ScottishPower Generation Ltd, Scottish Power Energy Management Ltd and ScottishPower Renewable Energy Ltd	CAP180-CR-03
4	Scottish and Southern Energy	CAP180-CR-04

**From:** Andrew Hallett [Andrew.Hallett@consumerfocus.org.uk]  
**Sent:** 29 March 2010 10:38  
**To:** .Box.Cusc.Team  
**Subject:** CAP180  
To whom it may concern,

We support National Grid in its support of CAP180. We do this because of the hope that it will promote inclusiveness at Working Group meetings and allow Consumer Focus to play a more equal role in deliberations.

Specifically, we think that the ability to raise a WGCAR (if and when we see fit to do so) will better enable Consumer Focus to represent the interests of electricity consumers. This is our principal objective at Working Group meetings. It would also be useful to nominate ourselves to become a Working Group member, as this amendment allows. Together these two changes are very positive for consumers.

On parts 3, 4 and 5 of CAP180 we do not have a strong opinion either way, though it is hoped the changes can better enable Working Group meetings to undertake business in an efficient manner.

Best,  
**Andrew Hallett**  
Policy Advocate  
020 7799 7938

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Consumer Focus is the independent champion for consumers across England, Wales, Scotland and (for postal consumers) in Northern Ireland. We operate across the whole of the economy, persuading businesses and public services to put consumers at the heart of what they do.

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To : [Cusc.Team@uk.ngrid.com](mailto:Cusc.Team@uk.ngrid.com)

06 April 2010

Dear CUSC Team,

EDF Energy response to CAP180 : “Transmission Access: Under-use and reallocation of TEC”

EDF Energy is pleased to respond to the consultation on CAP180.

We note that CAP180 proposes four CUSC changes to improve provisions for non-CUSC parties by :-

1. Extending the right to raise a Working Group Consultation Alternative Request to Balancing and Settlement Code (BSC) Parties and the National Consumer Council (NCC)

- we believe that the right to raise a Working Group Consultation Alternative Request could beneficially be extended to the National Consumer Council (NCC), to increase the range of engagement of those with legitimate interests, in the CUSC. Given that BSC signatories who are not CUSC signatories already have a range of rights (alongside the NCC) – albeit not rights that they currently generally exercise - in the CUSC in relation to the raising and processing of modifications, there is consistency in also granting them the new rights that are also being granted to the NCC.

2. The second element of CAP180 is the proposal to extend the right to BSC parties and the NCC, to nominate themselves to become a Working Group member.

- Once again this right, if exercised, could increase the range of engagement of those with legitimate interests, in the CUSC. As per reasoning given above, we support this aspect of CAP180.

3. CAP180 also proposes the removal of a Working Group member’s right to invite an observer to a Working Group meeting.

- we believe this element of CAP180 is beneficial against baseline, as we agree with the proposer’s reasoning that it potentially improves the efficiency of Working Group meetings.

4. CAP180 also proposes removing a Working Group member’s right to invite an observer to speak at a Working Group meeting.

- we also believe this element of CAP180 is beneficial against baseline, as it potentially improves the efficiency of Working Group meetings, giving more control to the Chairman.

5. CAP180 also proposes adding provisions to enable observers to be removed by the chairman when causing disruption at a Working Group meeting.

- we also believe this element of CAP180 is beneficial against baseline, as it potentially improves the efficiency of Working Group meetings, giving more control to the Chairman.

Given the advantages against baseline of each of its various elements, we offer our support to the implementation of CAP180, on the basis that it better (than baseline) facilitates the Applicable CUSC Objectives by promoting equality in treatment of CUSC and non-CUSC Parties as well as providing the Chairman greater provisions to better facilitate their meeting.

Yours Sincerely,

Dr Sebastian Eyre,  
Energy Regulation Manager, EDF Energy

Amendments Panel Secretary  
Electricity Codes  
National Grid  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
CV34 6DA

**Ref** CAP180  
**Date** 29<sup>th</sup> March 2010

**Tel No.** 01355 845208  
**Email:** [ukelectricityspoc@saic.com](mailto:ukelectricityspoc@saic.com)

### **CUSC Amendment Proposals CAP180**

Thank you for the opportunity to comment on the Consultation for Amendment Proposal CAP180. This response is submitted on behalf of ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and ScottishPower Renewable Energy Ltd.

ScottishPower are supportive of any measures which increase industry participation in the Governance processes. These changes appear to support this, by widening the scope of Parties able to raise reasonable changes to the Grid Code, and also the scope of the potential membership of any resultant working groups. Likewise, more efficient management of the working group process must always be welcomed.

I hope you find these comments useful. Should you have any queries on the points raised, please feel free to contact us.

Yours sincerely

Gary Henderson



For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and ScottishPower Renewable Energy Ltd.

**From:** Garth.Graham@scottish-southern.co.uk

**Sent:** 29 March 2010 10:44

**To:** Virk, Bali

**Subject:** Re: CAP180

Dear Sirs,

This response is sent on behalf of Scottish and Southern Energy, Southern Electric, Airtricity Developments (Scotland) Limited, Airtricity Developments (UK) Limited, Clyde Wind Farm (Scotland) Limited, Dalswinton Wind Farm (Scotland) Limited, Greenock Wind Farm (Scotland) Limited, Griffin Wind Farm Limited, Keadby Developments Limited, Keadby Generation Limited, Medway Power Limited, Minsca Wind Farm (Scotland) Limited, Slough Energy Supplies Limited, SSE (Ireland) Limited, SSE Energy Limited and SSE Generation Limited.

In relation to the Consultation Document associated with CUSC Amendment Proposal CAP180 "Amendment to the CUSC Governance Process" (contained within your email of 5<sup>th</sup> March 2010) we note that this proposed change has five elements which we comment on separately below

*I. Extending the right to raise a Working Group Consultation Alternative Request to Balancing and Settlement Code (BSC) Parties and the National Consumer Council (NCC).*

As set out in paragraph 8.15.1 of the CUSC a proposal to amend the CUSC can be made by (amongst others) both BSC Parties and the National Consumer Council. Given this it is both pragmatic (and more efficient) to extend the right to raise Consultation Alternative Requests to BSC Parties and the NCC. In terms of efficiency, by allowing a BSC Party or the NCC to raise a Consultation Alternative Request it could well avoid them raising a whole new Amendment Proposal at a later date, and thus be more efficient.

*II. Extending the right to BSC Parties and the NCC to nominate themselves to become a Working Group member.*

This is a pragmatic development that also aligns with the spirit (as well as the intent) of paragraph 8.15.1 of the CUSC.

*III. Remove a Working Group member's right to invite an observer to a Working Group meeting.*

Given the increased ability, as set out in II above, for persons to be nominated by BSC Parties, the NCC and CUSC Parties to a Working Group it is appropriate that the ability to invite observers is limited to the meeting chairman. This ensures that the good administration of the meeting is maintained; in terms of attendee names and numbers for site access/security and meeting room size/catering etc.; whilst still allowing interested parties to be selected to attend (as observers, if invited by the chairman or as Working Group member nominees).

*IV. Removing a Working Group member's right to invite an observer to speak at a Working Group meeting.*

It is appropriate that the Working Group chairman retains control of the meeting. As an impartial chair they are in the best position to ensure all views are heard whilst better managing and facilitating the meeting itself.

*V. Add provisions to enable observers to be removed by the chairman when causing disruption at a Working Group meeting.*

It is an anomaly that under paragraph 8.17.6 of the CUSC a Working Group member who persistently disrupts or frustrates the work of the Working Group can be removed whilst an observer who does exactly the same cannot be removed.

With regard to III, IV and V whilst we cannot recall a particular event / meeting etc., which gives rise to these matters needing to be address we nevertheless believe it is appropriate that these matters are addressed at this time (via CAP180).

In conclusion we agree that all five elements of CAP180 are worthy of being implemented as they will better achieve Applicable CUSC Objective (a) when compared with the baseline as they will aid the efficient raising of Consultation Alternative Requests and the efficient holding of Working Group meetings.

Regards

Garth Graham  
Electricity Market Development Manager  
Scottish and Southern Energy plc

From: "Virk, Bali" <bali.virk@uk.ngrid.com>  
To:  
Date: 05/03/2010 13:42  
Subject: CAP180

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Dear CUSC Parties and CUSC Panel Members

On the 26 February 2010 the CUSC Amendments Panel agreed for CAP180 – Amendments to the CUSC Governance Process to proceed through to consultation.

The CAP180 consultation document will be available at  
<http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/amendments/currentamendmentproposals/>

later this afternoon. The closing date for responses is 29 March 2010 at 5.00pm; please send your responses to [cuscc.team@uk.ngrid.com](mailto:cuscc.team@uk.ngrid.com)

Regards

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