



CONSULTATION DOCUMENT
CUSC Amendment Proposal CAP105
National Grid's name change

*The purpose of this document is to
consult on Consultation Alternative
Amendment Proposal CAP105
with CUSC Parties and other interested
Industry members*

Amendment Ref	CAP105
Issue	1.0
Date of Issue	6 th October 2005
Prepared by	National Grid

I DOCUMENT CONTROL**a National Grid Document Control**

Version	Date	Author	Change Reference
0.1	03/10/05	National Grid	Initial Draft for internal comment
1.0	06/10/05	National Grid	Formal version for release

b Document Location

National Grid website:

http://www.nationalgridinfo.co.uk/cusc/mn_consultation_index.html

c Distribution

Name	Organisation
CUSC Parties	Various
Panel Members	Various
Interested Parties	Various
Core Industry Document Owners	Various
National Grid Industry Information Website	-

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1.0 SUMMARY

- 1.1 CAP105 was proposed by National Grid to reflect the recent name change of the Transmission Licence holder from National Grid Company plc (NGC) to National Grid Electricity Transmission plc (NGET).
- 1.2 CAP105 was submitted to the CUSC Amendments Panel for consideration at their meeting on 25th August 2005. The Amendments Panel determined that CAP105 was ready to proceed to wider industry consultation by National Grid.
- 1.3 The wider consultation inviting views on CUSC Amendment Proposal CAP105 was concluded on Monday 3rd October 2005. National Grid has proposed a Consultation Alternative Amendment to CAP105 and Centrica plc have also proposed two Consultation Alternative Amendments. Under the terms of the CUSC there is a requirement for a further period of consultation to be undertaken in order to allow the industry to consider the proposed Consultation Alternatives. All the correspondence received in response to the Original Consultation is contained in Annex 2.
- 1.4 This document initiates the wider Consultation Alternative Amendment consultation and invites views on the Consultation Alternative Amendments for CAP105. **The consultation closing date is 5pm on the 20th October 2005.**
- 1.5 National Grid's Consultation Alternative Amendment (A) is similar in substance to the Original Amendment. However it addresses the concern raised by some regarding the fact that the Original would allow any existing Proposed Amendments, which include references to NGC and that are implemented after CAP105 to have NGC replaced with NGET.
- 1.6 Centrica has submitted two Consultation Alternative Amendments:

Consultation Alternative Amendment (B):- proposes amending the definition of NGC but does not replace the short form of NGC within the CUSC, rather it simply proposes to change the name within the definition. Centrica believe this, would be consistent with National Grid's intention not to amend the bilateral agreements.

Consultation Alternative Amendment (C):- proposes that the definition of NGC is changed to "the Company" and all references to NGC within the CUSC are amended to "the Company". This proposal would, in the view of the proposer, negate the need to undertake a similar exercise if National Grid changes its company name again.

2.0 THE CONSULTATION ALTERNATIVE AMENDMENTS

- 2.1 This is a consultation document issued by National Grid under the rules and procedures specified in the Connection and Use of System Code (CUSC) as designated by the Secretary of State.
- 2.2 Further to the submission of Amendment Proposal CAP105 and the subsequent consultation, this document seeks views from industry members relating to the Consultation Alternative Amendments for CAP105, proposed by National Grid and Centrica plc.

- 2.3 National Grid’s alternative proposal seeks to address concerns raised at the Amendments Panel and by Centrica, regarding procedural aspects of the Original Amendment Proposal. The proposal amends the Original Proposal by omitting the clause which would have allowed any existing Proposed Amendments, which include references to NGC and that are implemented after CAP105 to have NGC replaced with NGET. This alternative proposal still provides an efficient and pragmatic approach by accurately identify the Transmission Licence holder within the CUSC. However if the alternative proposal was approved, there will be a need for future Housekeeping Amendments, if a later Amendment is approved that reintroduces NGC into the CUSC.
- 2.4 Centrica’s first alternative proposal amends the definition of NGC but does not replace the short form of NGC within the CUSC. Centrica believes that this would be more efficient than the Original Amendment Proposal and would be consistent with National Grid’s intention not to amend bilateral agreements.
- 2.5 The second of Centrica’s alternative proposals amends the definition of NGC to “the Company” and would replace all references to NGC within the CUSC to “the Company”. Any modifications which were approved post approval of CAP105, that reintroduces NGC would be amended to “the Company” via a Housekeeping Amendment. Centrica believes this would be the most efficient method as it would negate the need to change all references within the CUSC, should National Grid change its company name again in the future.
- 2.6 The legal text to give effect to all three proposed Consultation Alternative Amendments is contained in Annex 1.

3.0 INITIAL VIEW OF NATIONAL GRID

- 3.1 National Grid believes it is important that the Transmission Licence holder is identified within the CUSC in the clearest and most transparent manner possible. National Grid believes the Original Amendment Proposal offers the most pragmatic and proportionate approach to this exercise and will result in the least effort for the industry in the future (as it will mean that further Housekeeping Amendments will not need to be raised to correct NGC being re-introduced into the Code via future Housekeeping Amendments). However, we also believe that the National Grid’s Alternative Amendment also better facilitates the applicable objectives, albeit not to the same extent as the Original Proposal. The Original Amendment Proposal and the National Grid’s alternative both have the effect of making NGET clear on the face of the CUSC, in an identical way to that in which this exercise has been taken forward in the Grid Code and the SO-TO Code.
- 3.2 National Grid believes that the Original Amendment Proposal and Consultation Alternative Amendment (A) would better facilitate the Applicable CUSC Objectives in that it would allow National Grid to efficiently discharge its obligations imposed on it by the Act and the Transmission Licence, by ensuring that the name of the Licence entity was clear throughout the User Codes.
- 3.3 National Grid does not believe that either of Centrica’s Consultation Alternative Amendments would better facilitate the Applicable CUSC Objectives. In either alternative, it would not be clear on the face of the code who exactly the Licence entity was and would result in the CUSC using a

different naming convention to that which has been adopted in the SO-TO Code and the Grid Code. We therefore strongly oppose both Centrica's Alternative Amendments, as we believe that far from aiding clarity on this point (which was the reason why we proposed CAP105) it potentially obscures it. We also see little logic in adopting a different solution in the CUSC, to that which has already been approved in the Grid Code and the SO-TO Code, and believe that such a difference would potentially be confusing to the industry.

4.0 VIEWS INVITED

- 4.1 National Grid is seeking the views of interested parties in relation to the issues raised by Consultation Alternative Amendment Proposal CAP105.
- 4.2 Please send your responses to this consultation to National Grid by no later than close of business on 20th October 2005.
- 4.3 Please address all comments to the following e-mail address:

Lindsey.Paradine@ngtuk.com

Or alternatively, comments may be addressed to:

Lindsey Paradine
Amendments Panel Secretary
Commercial
National Grid plc
NGT House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Annex 1 - Proposed Text to Modify CUSC

Part A - Text to give effect to the Proposed Consultation Alternative Amendment (A)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

NGC ~~NGET~~ National Grid Electricity Transmission Company ~~Company~~ plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

2. Replace all references to “**NGC**” within the **CUSC** baseline text within “**NGET**”
3. Insert the following as a new Clause 6.32

6.32 Change from “**NGC**” to “**NGET**”

The **CUSC Parties** agree that references to “**NGC**” in any relevant document as at the time and date for implementation of the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**NGET**” shall be read as reference to “**NGET**”.

4. Amend the content page to Section 6 of the **CUSC** by adding the following

6.32 Change from “**NGC**” to “**NGET**”

Part B - Text to give effect to the Proposed Consultation Alternative Amendment (B)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

NGC National Grid Electricity Transmission Company ~~Company~~ plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

Part C - Text to give effect to the Proposed Consultation Alternative Amendment (C)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

~~NGC~~ The Company National Grid Electricity Transmission ~~Company~~ plc
(No 2366977) whose registered office is at the 1 – 3
Strand, London, WC2N 5EH

2. Replace all references to “**NGC**” within the **CUSC** baseline text within “**The Company**”
3. Insert the following as a new Clause 6.32

6.32 Change from “**NGC**” to “**The Company**”

The **CUSC Parties** agree that references to “**NGC**” in any relevant document as at the time and date for implementation of the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**The Company**” shall be read as reference to “**The Company**”.

Annex 2 – Copies of Representations Received to Consultation

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 2nd September 2005, requesting comments by close of business on 3rd October 2005).

Representations were received from the following parties:

No.	Company	File No.
1	Centrica	CAP105 - CR-01
2	British Energy	CAP105 - CR-02

Reference	CAP105 - CR-01
Company	Centrica



Lindsey Paradine
Commercial
National Grid plc
National Grid Transco House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Centrica Energy

Millstream East,
Maidenhead Road,
Windsor,
Berkshire SL4 5GD

Tel. (01753) 431051
Fax (01753) 431150
www.centrica.com
Our Ref.
Your Ref.
14 November 2018

Dear Lindsey,

CUSC Amendment Proposal CAP105 – National Grid’s name change

Thank you for the opportunity to respond to your recent consultation document on the above referenced CUSC Amendment Proposal. Centrica recognises that it may not be strictly necessary to make any change, as noted in Para 7.1 of the Consultation document, since the Company Registration etc. has not been amended, however we agree that if there is an easy, efficient and effective means of doing so, then such a change may further the relevant objectives.

As such we believe there are a number of issues to be considered these are:

- a) Is the NGC proposal the most efficient and effective way of making the change? Since the proposal requires every reference to “NGC” to be amended there is obviously a large number of changes to the legal text of the CUSC to be made. This may not be efficient. We would also note that should NGC change its name again in the future then we would be faced with a similar exercise, which means that the change may not be efficient.
- b) Is there a better way of achieving the same result? There appear to be two alternatives that would achieve the same effect with less impact, these are:
 - i) Leave NGC as the short form identifier, but update the information in the Definitions section to the new Company name etc. This avoids the need for any new clause to catch Amendments “in flight”.
 - ii) Change the defined name from NGC to “the Company” such that any future change of name or detail would not necessitate such extensive changes to the CUSC.

- c) We are concerned with the proposal to add a new clause 8.24 to allow any CUSC Amendments with Ofgem to have legal text updated if Ofgem were to approve this Amendment Proposal. Whilst we recognise there are merits in trying to limit the effort required to make changes we share the concerns expressed by Ofgem during discussions of the proposal. As such we do not support this element of the Amendment. Should any legal text be required to be changed as a consequence of the approval of this Amendment this can be dealt with via the Housekeeping Amendments route.
- d) Consistency – since the Amendment Proposal only intends to amend the CUSC and not the bilateral Agreements that surround the CUSC there will still be a large number of documents that refer to NGC being used in the industry. As such either of the proposals in b) above would appear to have merit.

In conclusion we do not support this Amendment Proposal and would propose three Consultation Alternative Amendments, being:

- 1) The detail described in bi) above,
- 2) The detail described in bii) above which would then use the Housekeeping Amendment route as described in d) above to catch any Amendments in flight”.

If you have any questions regarding this response please do not hesitate to contact me on 01753 431051.

Yours sincerely,

Simon Goldring
Head of Transportation

Reference	CAP105 - CR-02
Company	British Energy

From: Capener John [mailto:john.capener@british-energy.com]
Sent: 22 September 2005 10:32
To: CUSC Team; Paradine, Lindsey
Cc: Allport Louise; Phillips Steve
Subject: CAP105 - British Energy Response to formal consultation

[Lindsey.](#)

[British Energy is supportive of the changes proposed under CUSC Amendment Proposal CAP105 the three elements of change seem entirely sensible and proportionate.](#)

[Regards](#)

[John](#)