

CUSC Amendment Proposal Form	CAP022
<p>Title of Amendment Proposal:</p> <p>Urgent Amendment Proposals – Review Process</p>	
<p>Description of the Proposed Amendment <i>(mandatory by proposer):</i></p> <p>This proposal seeks to require the Amendments Panel to establish an Urgent Review Group to carry out reviews of implemented Urgent Amendment Proposals.</p> <p><u>Note:</u> The principles behind this proposal have been discussed and agreed by the Governance Standing Group.</p>	
<p>Description of Issue or Defect that Proposed Amendment seeks to Address <i>(mandatory by proposer):</i></p> <p>If an Urgent Amendment Proposal is approved by the Authority, Section 8 of the CUSC requires the Amendments Panel to “initiate the Amendment Procedures in order to consider whether any Alternative Amendment might better facilitate the Applicable CUSC Objectives in respect of the subject matter of that Urgent Amendment Proposal”. Currently it is unclear how the Amendments Panel should initiate the Amendment Procedures (Paragraph 8.15.1 of the CUSC refers to the Amendments Panel being able to submit an Amendment Proposal under Paragraphs 8.21.8 and 8.23.5). If the Panel were to submit an Amendment Proposal for the review of an Urgent Amendment it is unclear what would be included for the mandatory description of the issue or defect which the Proposed Amendment seeks to address, as the original Urgent Amendment Proposal will have already dealt with the issue or defect.</p>	
<p>Impact on the CUSC <i>(this should be given where possible):</i></p> <p>Paragraph 8.21.8 of the CUSC would require amendment to give effect to the change proposed by. Section 11 of the CUSC would also require amendment to include a new defined term for “Urgent Review Group”.</p> <p>The draft text to give effect to this proposal is contained in Attachment 1.</p>	
<p>Impact on Core Industry Documentation <i>(this should be given where possible):</i></p> <p>None.</p>	
<p>Impact on Computer Systems and Processes used by CUSC Parties <i>(this should be given where possible):</i></p> <p>None.</p>	
<p>Details of any Related Modifications to Other Industry Codes <i>(where known):</i></p> <p>None.</p>	
<p>Justification for Proposed Amendment with Reference to Applicable CUSC Objectives** <i>(mandatory by proposer):</i></p> <p>The terms of the Transmission Licence require National Grid to establish and operate procedures for the modification of the CUSC, including the modification procedures themselves, so as to better facilitate achievement of the Applicable CUSC Objectives.</p> <p>Amendment of the Urgent Amendment review process to establish a procedure for the review of implemented Urgent Amendments would improve efficiency in the amendment procedures themselves as the current CUSC is unclear on initiation and process of review. Amendment of the process would enable National Grid to more efficiently discharge its obligations.</p>	

Details of Proposer: Organisation's Name	The National Grid Company plc
Capacity in which the Amendment is being proposed: (i.e. CUSC Party, BSC Party or "energywatch")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Andy Balkwill The National Grid Company plc 024 76423198 andy.balkwill@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Emma Groves The National Grid Company plc 024 76423053 emma.groves@uk.ngrid.com
Attachments (Yes/No): Yes If Yes, Title and No. of pages of each Attachment: Attachment 1 – Draft Text to give effect to proposal. One page.	

Notes:

- Those wishing to propose an Amendment to the CUSC should do so by filling in this "Amendment Proposal Form" that is based on the provisions contained in Section 8.15 of the CUSC. The form seeks to ascertain details about the Amendment Proposal so that the Amendments Panel can determine more clearly whether the proposal should be considered by a Working Group or go straight to wider National Grid Consultation.
- The Panel Secretary will check that the form has been completed, in accordance with the requirements of the CUSC, prior to submitting it to the Panel. If the Panel Secretary accepts the Amendment Proposal form as complete, then he will write back to the Proposer informing him of the reference number for the Amendment Proposal and the date on which 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, then he may reject the Proposal. The Panel Secretary will inform the Proposer of the rejection and report the matter to the Panel at their next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform the Proposer.

The completed form should be returned to:

Richard Dunn
Panel Secretary
Commercial Development
National Grid Company plc
National Grid House
Kirby Corner Road
Coventry, CV4 8JY
Or via e-mail to: CUSC.Team@uk.ngrid.com

(Participants submitting this form by email will need to send a statement to the effect that the proposer acknowledges that on acceptance of the proposal for consideration by the Amendments Panel, a proposer which is not a CUSC Party shall grant a licence in accordance with Paragraph 8.15.7 of the CUSC. A Proposer that is a CUSC Party shall be deemed to have granted this Licence).

- Applicable CUSC Objectives** - These are defined within the National Grid Company Transmission Licence under Section C7F, paragraph 15. Reference should be made to this section when considering a proposed amendment.

Attachment 1

Draft Text to give effect to the Amendment Proposal

8.15 AMENDMENT PROPOSALS

8.15.1 A proposal to modify the **CUSC** may be made by a **CUSC Party**, by the **GECC** or by a **BSC Party** or, under Paragraphs 8.21.817 and 8.23.5, by the **Amendments Panel**.

8.21 URGENT AMENDMENT PROPOSALS

8.21.1 If any **CUSC Party** recommends to the **Panel Secretary** that a proposal should be treated as an **Urgent Amendment Proposal** in accordance with this Paragraph 8.21, the **Panel Secretary** shall notify the **Panel Chairman** who shall then endeavour to obtain the views of the **Amendments Panel** as to the matters set out in Paragraph 8.21.2. If for any reason the **Panel Chairman** is unable to do that, the **Panel Secretary** shall do so.

8.21.2 The matters referred to in Paragraph 8.21.1 are:

- (a) whether such proposal should be treated as an **Urgent Amendment Proposal** in accordance with this Paragraph 8.21 and
- (b) if so, the procedure and timetable to be followed in respect of such **Urgent Amendment Proposal**.

8.21.3 If:

- (a) the **Amendments Panel** agrees that such proposal should be treated as an **Urgent Amendment Proposal**; or
- (b) where the **Panel Chairman** or the **Panel Secretary** was unable to contact all **Panel Members**, the majority of **Panel Members** contacted so agree; or
- (c) where the **Panel Chairman** or the **Panel Secretary** was unable to contact any other **Panel Member**, the **Panel Chairman** considers that such proposal should be treated as an **Urgent Amendment Proposal**,

the **Panel Chairman** or, in his absence, the **Panel Secretary** shall forthwith consult the **Authority** as to whether such **Amendment Proposal** is an **Urgent Amendment Proposal** and, if so, as to the procedure and timetable which should apply in respect thereof.

8.21.4 The **Amendments Panel** shall:

- (a) not treat any **Amendment Proposal** as an **Urgent Amendment Proposal** except with the prior consent of the **Authority**;
- (b) comply with the procedure and timetable in respect of any **Urgent Amendment Proposal** approved by the **Authority**; and
- (c) comply with any direction of the **Authority** issued in respect of any of the matters on which the **Authority** is consulted pursuant to Paragraph 8.21.3.

8.21.5 For the purposes of this Paragraph 8.21.5, the procedure and timetable in respect of an **Urgent Amendment Proposal** may (with the approval of the Authority pursuant to Paragraph 8.21.3) deviate from all or part of the **Amendment Procedures** to follow any other procedure or timetable approved by the **Authority**.

8.21.6 The **Amendment Report** in respect of an **Urgent Amendment Proposal** shall include a statement as to why the **CUSC Party** believes that such **Amendment Proposal** should be treated as an **Urgent Amendment Proposal** and the extent to which the procedure followed deviated from the **Amendment Procedures** (other than the procedures in this Paragraph 8.21).

8.21.7 Each **CUSC Party** and each **Panel Member** shall take all reasonable steps to ensure that an **Urgent Amendment Proposal** is considered, evaluated and (subject to the approval of the **Authority**) implemented as soon as reasonably practicable, having regard to the urgency of the matter and, for the avoidance of doubt, an **Urgent Amendment Proposal** may (subject to the approval of the **Authority**) result in the **CUSC** being amended on the day on which such proposal is submitted.

8.21.8 Where an **Urgent Amendment Proposal** results in an amendment being made in accordance with Paragraph 8.23, the **Amendments Panel** shall following such amendment, establish an **Urgent Review Group** in accordance with Paragraph 8.21.10. initiate the **Amendment Procedures** in order to better facilitate the **Applicable CUSC Objectives** in respect of the subject matter of that **Urgent Amendment Proposal**.

8.21.9 The terms of reference of the **Urgent Review Group** will be to consider and report to the **Amendments Panel** as to whether there may be another solution that may, as compared with the implemented **Urgent Amendment Proposal**, better facilitate the **Applicable CUSC Objectives**. The **Amendments Panel** shall specify a timetable, which shall be no longer than three months) within which the **Urgent Review Group** is to report to it and may

establish other requirements in relation to the intended scope of the **Urgent Review Group's** considerations.

8.21.10 An **Urgent Review Group** shall comprise at least five (5) persons (who may be **Panel Members**) selected by the **Amendments Panel** from those nominated by **CUSC Parties** for their relevant experience and/or expertise in the areas forming the subject-matter of the Review. The **Amendments Panel** shall ensure, as far as possible, that an appropriate cross-section of representation, experience and expertise is represented on such **Urgent Review Group**, provided that there shall always be at least one member representing NGC. A representative of the **Authority** may attend any meeting of an **Urgent Review Group** as an observer and may speak at such meeting.

8.21.11 **NGC** shall in consultation with the **Amendments Panel** appoint the chairman of each **Urgent Review Group** who shall act impartially and as an independent chairman.

8.21.12 The **Amendments Panel** may add further members to an **Urgent Review Group** after it is established.

8.21.13 The **Amendments Panel** may (but shall not be obliged to) replace any member of an **Urgent Review Group** appointed pursuant to Paragraph 8.22.2 at any time if such member is unwilling or unable for whatever reason to fulfil that function and/or is deliberately and persistently disrupting or frustrating the work of the **Urgent Review Group**.

8.21.14

(a) Each **Urgent Review Group** chairman shall prepare a report to the **Amendments Panel** responding to the matter detailed in the terms of reference in accordance with the time period set by the **Amendments Panel**.

(b) If an **Urgent Review Group** is unable to reach agreement on any such matter, the report must reflect the views of the members of the **Urgent Review Group**.

(c) The report will be circulated in draft form to **Urgent Review Group** members and a period of not less than five (5) **Business Days** given for comments thereon. Any unresolved comments made shall be reflected in the final report.

(d) The chairman or another member (nominated by the chairman) of the **Urgent Review Group** shall attend the next **Amendments Panel** meeting following delivery of the report and may be invited to present the findings and/or answer the questions of **Panel Members** in respect thereof. Other members of the **Urgent Review Group** may also attend such **Amendments Panel** meeting.

8.21.15 If the report from the **Urgent Review Group** recommends to the **Amendments Panel** that there is an alternative to the implemented **Urgent Amendment Proposal** that could better facilitate the **Applicable CUSC Objectives**, then the **Amendments Panel** shall propose an amendment to the **CUSC** in line with Paragraph 8.15.1 of the **CUSC**.

SECTION 11 – INTERPRETATION AND DEFINITIONS

“Urgent Review Group”

An Urgent Review Group established by the Amendments Panel pursuant to Paragraph 8.21.10;