

# Meeting Minutes

## Special Grid Code Review Panel

<b>Date:</b>	10/09/2019	<b>Location:</b>	WebEx
<b>Start:</b>	14:00	<b>End:</b>	15:00

## Participants

Attendee	Attend/Regrets	Attendee	Attend/Regrets
Trisha McAuley, Independent Chair (TM)	Attend	Jeremy Caplin, BSC Representative (JC)	Attend
Paul Mullen, Code Administrator Representative (PM)	Attend	Steve Cox, Network Operator Representative (GV)	Attend
Emma Hart, Technical Secretary (EH)	Attend	Alan Creighton, Network Operator Representative (AC)	Attend
Robert Longden, Suppliers Representative (RL)	Attend	Richard Woodward, Onshore Transmission Alternate Representative (RWW1)	Attend
Sigrid Bolik, Generator Alternate Representative (SB)	Attend	Christopher Smith, Offshore Transmission Operator Representative (CS)	Attend
Damian Jackman, Generator Representative (DJ)	Attend	Gurpal Singh, Authority Representative (GS)	Attend
Rob Wilson, National Grid ESO Alternate Representative (RW)	Attend	Nadir Hafeez, Authority Observer (NH)	Attend
Tony Johnson, National Grid ESO Observer, (TJ)	Attend		

## Discussion and details

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### 1 Welcome and introductions

7294. TM opened the Special Grid Code Review Panel ('the Panel') meeting with introductions and acknowledged the advance apologies received from the following Panel members:
- Colm Murphy (alternate Rob Wilson);
  - Guy Nicholson (alternate Sigrid Bolik);
  - Alastair Frew; and
  - Joseph Underwood

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### 2 Workgroup Report

GC0127: EU Code Emergency & Restoration: Requirements resulting from System Defence Plan  
GC0128: EU Code Emergency & Restoration: Requirements resulting from System Restoration Plan

7295. PM presented the slides contained within the slide pack. PM informed the Panel that six Workgroup Consultation responses had been received. In addition, there are three Workgroup Alternative Grid Code Modifications (WAGCMs) proposed. PM explained that the Original solution was a minimalistic approach in that it only affects CUSC Parties, and places minimum requirements for change on Storage applications. The WAGCMs take a broader interpretation of the E&R requirements and broaden the scope to non-CUSC parties (WAGCM1) and in the application of requirements to Storage (WAGCM2) while WAGCM3 combines WAGCM1 & 2.
7296. PM highlighted that there were two decisions to be made by the Panel, which were as follows:
1. Does the Panel believe that the GC0127/GC0128 Workgroup has fulfilled its Terms of Reference as set by the Panel?; and
  2. Does the Panel agree with the recommendation to proceed to the Code Administrator Consultation (CAC) without full legal text for the three WAGCMs under Governance Rule GR.20.8?
7297. TJ clarified that the work undertaken in relation to GC0127/GC0128 related to the phase 1 requirements, which need to be implemented by December 2019 for compliance. Phase 2 will require an additional modification to be raised, probably in Q1 2020, to meet the phase 2 compliance date of December 2022.
7298. PM explained to the Panel that the reason for the request to proceed to CAC without fully drafted legal text was due to the following reasons:
1. The WAGCMs were raised at a late stage in the code change process with no supporting legal text;
  2. While the principles of the alternatives are straightforward, the analysis and work required to be undertaken in order to produce robust supporting legal text is significant and would additionally require engagement with smaller players and Storage providers who would be particularly affected by the Alternatives; and
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3. GC0127/GC0128 has a compliance deadline of December 2019 and failure to meet this deadline would result in the UK being non-compliant with European requirements.

7299. PM stated that should the Panel agree to proceed to the CAC without the WAGCM legal text being fully developed, then the final decision of whether WAGCM legal text will be required will sit with Ofgem. PM clarified that under the current proposal, fully developed legal text for the three WAGCMs would only be included in the event that Ofgem decided that they wanted this.
7300. RW stated that the GC0106 modification was in a similar position and the decision did not relate to the validity of the WAGCM but rather it was recognised that there was limited time available.
7301. The Chair reminded the Panel that its decision was required on the basis of the significance of the undertaking rather than the time available.
7302. DJ stated that he believes that it is important to have the legal text at the CAC stage wherever possible as it will ensure Ofgem can make a best-informed decision and allows industry an opportunity to express views on the full solution. DJ stated that he opposes the modification proceeding to CAC without fully developed legal text for the WAGCMs. Additionally, DJ expressed that in his view, the drafting of the legal text would not take a lot of time. Further, DJ expressed concern that potential non-compliance and expediency is being used to avoid writing the supporting legal text.
7303. AC stated that in GR.20.8, where it is allowable for an alternative not to be fully developed if to do so would require a significant amount of work, this applies not just to the drafting of the legal text but also to any other development work required in relation to the WAGCMs.  
Excerpt as follows:  
*GR.20.8 ....In addition, prior to the taking of any steps which would result in the undertaking of a significant amount of work (including the production of draft legal text to modify the Grid Code in order to give effect to a Grid Code Modification Proposal and/or Workgroup Alternative Grid Code Modification(s), with the relevant terms of reference setting out what a significant amount of work would be in any given case), the Workgroup shall seek the views of the Grid Code Review Panel as to whether to proceed with such steps and, in giving its views, the Grid Code Review Panel may consult the Authority in respect thereof.*
7304. RW stated that he was sympathetic to DJ's position and that it is always preferable to resolve all the issues and draft the legal text prior to sending a modification to CAC. However, the legal text and WAGCMs will have a big impact, especially on smaller parties. Therefore, while the principle of the legal text may be fairly straightforward the impact needs to be fully considered and this is not possible within the compliance deadline. TJ stated that the smaller parties need an opportunity to fully engage in the process. He went on to say that the ESO is fully supportive of extending the scope of this work to smaller parties in a similar way to GC0106 and the subsequent creation of GC0117. He suggested that once GC0127 and GC0128 had been implemented in December 2019 a more appropriate approach would be to consider inclusion within the scope of GC0117.  
RWW1 expressed that he was also sympathetic to DJ's position. However, as this decision relates to compliance, the compliance trumps the desire to have fully formed legal text.
7305. The Panel discussed whether the WAGCMs and their requirements were articulated clearly enough for both Ofgem and the industry to understand the implications. The Panel agreed that further information on the WAGCMs solutions needed to be prepared to aid Ofgem in its decision and industry in responding to the CAC.

**ACTION 284:** PM to ensure that the GC0127/GC0128 CAC includes further information about each of the WAGCM solutions.

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7306. GS stated that in the event that there were an Ofgem send back, then the compliance deadline will be missed. GS stated that there needs to be the right balance between compliance and resolving all options. GS stated that it was important not to set a negative precedent when dealing with compliance modifications.

7307. The Panel agreed that:

1. The Workgroup had fulfilled its Terms of Reference and
2. That the legal text for the three WAGCMs was a significant undertaking and the modification should proceed to the CAC; subject to Ofgem's decision.

**ACTION 285:** PM to draft and send a letter, on behalf of the Chair, to Ofgem requesting a decision in relation to whether GC0127/GC0128 may proceed to CAC without the legal text for WAGCM 1, WAGCM 2 and WAGCM 3 being developed.

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**3 AOB**

7308. There were no additional items discussed by the Panel.

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**4 Next meeting**

7309. The next Panel meeting will take place at Faraday House, Warwick and WebEx on **26 September 2019** commencing at **10am**.

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