



# Proposal for earlier consideration of implementation dates – CAP086

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## Existing Issue/Defect

- X CUSC Parties agree that implementation dates have the potential to be extremely significant and yet industry input has been curtailed by the Amendment process.
- X The CUSC only requires NGC to circulate a draft copy of the Amendment Report to CUSC Parties with a minimum consultation period of 5 days.
- X CUSC Users are hindered from contributing to the formulation of an implementation date.
- X The current process results in a lack of transparency, a potential conflict of interest and the provision of substandard information to the Authority.

## Proposed Solution

- ✓ An obligation within Section 8 of the CUSC requiring NGC to consult upon implementation dates as part of the Amendment Consultation.
- ✓ The ability of a Working Group to suggest an appropriate timescale for implementation and for this to be consulted upon as part of the Amendment Consultation.
- ✓ The Working Group for CAP086 may wish to consider Panel involvement in ratifying the recommended implementation date as part of the approval of the Final Amendment Report.

## Why Now?

- CUSC Amendment CAP077 and BSC Modification P180 have each highlighted the importance ascribed to implementation dates by the industry.
- An acknowledgement from the Authority that it may be appropriate to consult earlier in the Amendment process.
- To mitigate the risk of CC Appeals and the ongoing potential for Judicial Review.

## Applicable Objectives

### **(a) The efficient discharge by National Grid of the obligations imposed on it by the Act and the Transmission Licence.**

- ✓ This amendment will better facilitate an assessment of complexity, importance and urgency associated with implementation (SLC C10.6 (c))
- ✓ CAP086 will better enable NGC to assess and avoid undue delay (SLC C10.12)
- ✓ The proposal will ensure consistent application of the obligations placed on NGC by the Transmission Licence.

### **(b) Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity.**

- ✓ Full consultation will reduce the likelihood of Competition Commission Appeals and Judicial Review and therefore better facilitate competition.

- ✓ A more transparent and equitable process will benefit competition.



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