

Working Group Terms of Reference and Membership

TERMS OF REFERENCE FOR CAP167 WORKING GROUP

RESPONSIBILITIES

1. The Working Group is responsible for assisting the CUSC Amendments Panel in the evaluation of CUSC Amendment Proposal CAP167 tabled by National Grid at the Amendments Panel meeting on 16 May, 2008.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the applicable CUSC objectives. These can be summarised as follows:
 - (a) the efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence; and
 - (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.
3. It should be noted that additional provisions apply where it is proposed to modify the CUSC amendment provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

SCOPE OF WORK

4. The Working Group must consider the issues raised by the Amendment Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
5. In addition to the overriding requirement of paragraph 4, the Working Group shall consider and report on the following:
 - Identify all the current issues regarding the lack of transparency and guidance for determining significant impact on the transmission system prior to an application for a request for a Statement of Works for Relevant Small Embedded Power Stations;
 - Undertake the required analysis and determine an appropriate process for establishing MW threshold(s) which will provide transparent criteria of whether a DNO is required to request a Statement of Works from National Grid for small generation project connecting to their system;
 - Consider possible alternative options;
 - Identify all the consequences of each option including but not limited to:
 - the impact on the CUSC and any other associated documents within the framework;
 - the impact on CUSC Parties and other affected parties such as the administrative and cost burden; and
 - the impact on the industry and wider issues as appropriate in accordance with the Applicable CUSC Objectives.

- Undertake analysis of the environmental impact in accordance with Ofgem's final clarification and guidance on the treatment of carbon costs under the current industry code objectives for the proposed amendment and any Working Group Alternatives that will be presented to the Panel in the groups final Working Group Report
 - Identify advantages and disadvantages of each option;
 - Consider implementation issues and propose a solution to resolve any issues; and
 - Where possible consider and identify recommendations for further improvements to the Statement of Works process that could be progressed in the future.
6. The Working Group is responsible for the formulation and evaluation of any Working Group Alternative Amendments (WGAAAs) arising from Group discussions which would, as compared with the Amendment Proposal, better facilitate achieving the applicable CUSC objectives in relation to the issue or defect identified.
 7. The Working Group should become conversant with the definition of Working Group Alternative Amendments which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual Member of the Working Group to put forward a Working Group Alternative Amendment if the Member(s) genuinely believes the Alternative would better facilitate the achievement of the Applicable CUSC Objectives. The extent of the support for the Amendment Proposal or any Working Group Alternative Amendment arising from the Working Group's discussions should be clearly described in the final Working Group Report to the CUSC Amendments Panel.
 8. There is an obligation on the Working Group Members to propose the minimum number of Working Group Alternatives.
 9. All proposed Working Group Alternatives should include the proposer(s) details within the Final Working Group Report, for the avoidance of doubt this includes Alternative(s) which are proposed by the entire Working Group or subset of members.
 10. The Working Group is to submit their final report to the CUSC Panel Secretary on 21 August, 2008 for circulation to Panel Members. The conclusions will be presented to the CUSC Panel meeting on 29 August, 2008.

MEMBERSHIP

11. It is recommended that the Working Group has the following members:

Chair	Emma Carr
National Grid	Craig Maloney
Industry Representatives	Leonida Bandura
	Alan Creighton
	Ray Hunter
	Robert Longden
	Paul McGimpsey
	Alec Morrison / Aileen McLeod
	John Norbury
	Steven Pottinger
	Dan Randles
	David Walker
	Dave Wilkerson
Authority Representative	Cheryl Mundie
Technical Secretary	Parry Batth

NB: Working Group must comprise at least 5 Members (who may be Panel Members)

12. The Chair of the Working Group and the Chair of the CUSC Panel must agree a number that will be quorum for each Working Group meeting. The agreed figure for CAP167 is that at least 5 Working Group members must participate in a meeting for quorum to be met.
13. A vote is to take place by all eligible Working Group members on the proposal and each Working Group Alternative, as appropriate, as to whether it better facilitates the CUSC Applicable Objectives and indicate which option is considered the BEST with regard to the CUSC Applicable Objectives. The results from the vote shall be recorded in the Working Group Report.
14. Working Group Members or their appointed alternate is required to attend a minimum of 50% of the Working Group Meetings to be eligible to participate in the Working Group vote.
15. The Technical Secretary to keep an Attendance Record, for the Working Group meetings and to circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the Final Working Report.
16. The membership can be amended from time to time by the CUSC Amendments Panel.

RELATIONSHIP WITH AMENDMENTS PANEL

17. The Working Group shall seek the views of the Amendments Panel before taking on any significant amount of work. In this event the Working Group Chairman should contact the CUSC Panel Secretary.
18. Where the Working Group requires instruction, clarification or guidance from the Amendments Panel, particularly in relation to their Scope of Work, the Working Group Chairman should contact the CUSC Panel Secretary.

MEETINGS

19. The Working Group shall, unless determined otherwise by the Amendments Panel, develop and adopt its own internal working procedures and provide a copy to the Panel Secretary for each of its Amendment Proposals.

REPORTING

20. The Working Group Chairman shall prepare a final report to the 29 August 2008 Amendments Panel responding to the matter set out in the Terms of Reference.
21. A draft Working Group Report must be circulated to Working Group members with not less than five business days given for comments.
22. Any unresolved comments within the Working Group must be reflected in the final Working Group Report.
23. The Chairman (or another member nominated by him) will present the Working Group report to the Amendments Panel as required.