

CUSC Amendment Proposal Form	CAP:175
<p>Title of Amendment Proposal: Urgent Amendment Proposals – revisions to process</p>	
<p>Description of the Proposed Amendment <i>(mandatory by proposer):</i></p> <p>It is proposed that the Urgent Amendment Proposals process within the CUSC be revised to provide enhanced understanding, clarity and process specification for the process through which a recommendation for urgency would be progressed.</p> <p>It is proposed that the following changes be made to the CUSC:</p> <ul style="list-style-type: none"> • The ability to recommend that a proposal be treated as urgent be extended to include the National Consumer Council and BSC Parties (as well as CUSC Parties) • The Panel Chairman to determine the time by which a decision on urgent matters should be made • A meeting of the CUSC Amendments Panel to be convened to discuss the matter • Specification of the process to be followed should not all Panel Members be available for the meeting, or should it not be possible to contact an appropriate number of Panel Members (please see detail set out in proposed attached legal text) • The Amendment Report to include the Authority and Panel view on urgency (as well as the proposer's view as currently provided for in the CUSC) 	
<p>Description of Issue or Defect that Proposed Amendment seeks to Address <i>(mandatory by proposer):</i></p> <p>Following recent recommendations that proposals be treated as urgent (relating to CAP168, CAP170, CAP171 and CAP172), it has been acknowledged by a number of parties (including the CUSC Amendments Panel) that the process for dealing with such recommendations has been tested. In particular it became clear that the lack of detail surrounding the specific process to be followed led to differing expectations of the treatment of such recommendations. Following this the CUSC Governance Standing Group (the GSG) reviewed the existing provisions within the CUSC and agreed that additional clarity on the process would be useful.</p> <p>This Amendment Proposal has been raised based on the GSG discussions. The main changes proposed relate to the requirement to convene a meeting, which is not explicit in the existing provisions. The proposal also seeks to provide detail as to the process to be followed in the event that it is not possible to contact all Panel Members. It was considered by the GSG that this would aid transparency and clarity for both the Panel and industry parties on the process to be followed should a proposal be recommended as urgent. Much of the detail of the proposals is based on the provisions already in place in the BSC.</p> <p>In addition to this the proposal seeks to extend the ability to recommend an Amendment Proposal be treated as urgent to the National Consumer Council and BSC Parties as well as CUSC Parties (already included in the existing provisions). This was considered to be important by the GSG as these parties are already able to raise Amendment Proposals, and so should also be able to recommend on urgency.</p> <p>Finally, the proposal seeks to add the requirement for the Authority and the CUSC Amendments Panel views on urgency to be included in the Amendment Report (as well as the proposer's view as outlined in the current provisions). It was considered by the GSG that this will ensure that the complete view on urgency is available in the Amendment Report for the consideration of any interested party.</p>	

Impact on the CUSC <i>(this should be given where possible):</i> Section 8.21 of the CUSC will require amendment.
Impact on Core Industry Documentation <i>(this should be given where possible):</i> None
Impact on Computer Systems and Processes used by CUSC Parties <i>(this should be given where possible):</i> None
Details of any Related Modifications to Other Industry Codes <i>(where known):</i> None
Justification for Proposed Amendment with Reference to Applicable CUSC Objectives** <i>(mandatory by proposer):</i> National Grid believes that this proposal will better facilitate CUSC Applicable Objective (a): (a) The efficient discharge by the licensee of the obligations imposed upon it under the Act and by the Transmission Licence by improving the transparency and process through which recommendations for Urgent Amendment Proposals will be processed.

Details of Proposer: Organisation's Name:	National Grid
Capacity in which the Amendment is being proposed: (i.e. CUSC Party, BSC Party or "National Consumer Council")	CUSC Party
Details of Proposer's Representative: Name: Organisation: Telephone Number: Email Address:	Carole Hook National Grid 01926 654211 carole.hook@uk.ngrid.com
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	Alex Thomason National Grid 01926 656379 Alex.thomason@uk.ngrid.com
Attachments (Yes/No): Yes If Yes, Title and No. of pages of each Attachment: Please see annex 1 to this amendment proposal for the proposed drafting to support the amendment (3 pages).	

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:

Bali Virk
Commercial
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Or via e-mail to: Bali.Virk@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).

3. Applicable CUSC Objectives** - These are defined within the National Grid Electricity Transmission plc Licence under Standard Condition C10, paragraph 1. Reference should be made to this section when considering a proposed amendment.

Annex 1 - Draft text proposed to modify the CUSC

8.21 URGENT AMENDMENT PROPOSALS AND HOUSEKEEPING AMENDMENTS

8.21.1 Urgent Amendment Proposals

8.21.1.1 If any **CUSC Party**, or the **National Consumer Council** or any **BSC 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, in accordance with Paragraphs 8.21.1.1(a) to (e) inclusive, and notwithstanding anything in the contrary in this Section 8, endeavour to obtain the views of the **Amendments Panel** as to the matters set out in Paragraph 8.21.1.2. If for any reason the **Panel Chairman** is unable to do that, the **Panel Secretary** shall attempt to do so (and the measures to be undertaken by the **Panel Chairman** in the following paragraphs shall in such case be undertaken by the **Panel Secretary**).

8.21.1.1(a) The **Panel Chairman** shall determine the time by which, in his opinion, a decision of the **Amendments Panel** is required in relation to such matters, having regard to the degree of urgency in all the circumstances, and references in this Paragraph 8.21.1 to the “time available” shall mean the time available, based on any such determination by the **Panel Chairman**;

8.21.1.1(b) The **Panel Secretary** shall, at the request of the **Panel Chairman**, convene a meeting or meetings (including meetings by telephone conference call, where appropriate) of the **Amendments Panel** in such manner and upon such notice as the **Panel Chairman** considers appropriate, and such that, where practicable within the time available, as many **Panel Members** as possible may attend;

8.21.1.1(c) Each **Panel Member** shall be deemed to have consented, for the purposes of Paragraph 8.7.9, to the convening of such meeting or meetings in the manner and on the notice determined by the **Panel Chairman**. Paragraph 8.7.10 shall not apply to any such business.

8.21.1.1(d) Where:

(i) it becomes apparent, in seeking to convene a meeting of the **Amendments Panel** within the time available, that a quorum will not be present; or

(ii) it transpires that the meeting of the **Amendments Panel** is not quorate and it is not possible to rearrange such meeting within the time available.

the **Panel Chairman** shall endeavour to contact each **Panel Member** individually in order to ascertain such **Panel Member's** vote, and (subject to Paragraph 8.21.1.1(e)) any matter to be decided shall be decided by a majority of those **Panel Members** who so cast a vote. Where, for whatever reason no decision is reached, the **Panel Chairman** shall proceed to consult with the **Authority** in accordance with Paragraph 8.21.1.4;

8.21.1.1(e) Where the **Panel Chairman** is unable to contact at least four **Panel Members** within the time available and where:

(i) it is only **The Company** who has recommended that the proposal

should be treated as an Urgent Amendment Proposal, then those Panel Members contacted shall decide such matters, such decision may be a majority decision. Where in such cases no decision is made for whatever reason, the Panel Chairman shall proceed to consult with the Authority in accordance with Paragraph 8.21.1.4; or

(ii) any CUSC Party (other than, and/or in addition to, The Company), the National Consumer Council or any BSC Party has recommended that the proposal should be treated as an Urgent Amendment Proposal, then the Panel Chairman may decide the matter (in consultation with those Panel Members (if any) which he managed to contact) provided that the Panel Chairman shall include details in the relevant Amendment Report of the steps which he took to contact other Panel Members first.

8.21.1.2 The matters referred to in Paragraph 8.21.1.1 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**.

8.21.1.3

~~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 provide the Authority with the recommendation (if any), ascertained in accordance with Paragraphs 8.21.1.1(a) to (e) inclusive, of the Amendments Panel as to the matters referred to in Paragraph 8.21.1.2, and shall 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.

8.21.1.4 If the Amendments Panel has been unable to make a recommendation in accordance with Paragraph 8.21.1.1(d) or Paragraph 8.21.1.1(e) as to the matters referred to in Paragraph 8.21.1.2 following 8.21.1.3 it is not agreed that the Amendment Proposal should become an Urgent Amendment Proposal then the Panel Chairman or, in his absence, the Panel Secretary may recommend whether he considers that such proposal should be treated as an Urgent Amendment Proposal and 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 that should apply in respect thereof.

- 8.21.1.5 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 8.21.1.3 or Paragraph 8.21.1.4.
- 8.21.1.6 For the purposes of this Paragraph 8.21.1.6, the procedure and timetable in respect of an **Urgent Amendment Proposal** may (with the approval of the **Authority** pursuant to Paragraph 8.21.1.3 or Paragraph 8.21.1.4) deviate from all or part of the **Amendment Procedures** ~~to~~ or follow any other procedure or timetable approved by the **Authority**.
- 8.21.1.7 The **Amendment Report** in respect of an **Urgent Amendment Proposal** shall include:
- (a) a statement as to why the proposer ~~CUSC Party~~, believes that such **Amendment Proposal** should be treated as an **Urgent Amendment Proposal**,
 - (b) any statement provided by the Authority as to why the Authority believes that such Amendment Proposal should be treated as an Urgent Amendment Proposal.
 - (c) any recommendation of the Amendments Panel (or any recommendation of the Panel Chairman) provided in accordance with Paragraph 8.21.1.1 in respect of whether any Amendment Proposal should be treated as an Urgent Amendment Proposal, and
 - (d) ~~and~~ the extent to which the procedure followed deviated from the **Amendment Procedures** (other than the procedures in this Paragraph 8.21.1).