



AMENDMENT REPORT VOLUME 2

CUSC Amendment Proposal CAP175

Urgent Amendment Proposals – revision to process

This document contains consultation responses

Amendment Ref	CAP175
Issue	V1.0
Date of Issue	19 th November 2009
Prepared by	National Grid

ANNEX 1 - REPRESENTATIONS RECEIVED DURING CONSULTATION

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 07/10/2009, requesting comments by close of business on 29/10/2009).

Representations were received from the following parties:

No.	Company	File Number
1	EDF ENERGY	CAP175-CR-01
2	RWE group of companies including RWE Npower, RWE Supply and Trading GmbH and RWE npower renewables, a fully owned subsidiary of RWE Innogy	CAP175-CR-02
3	ScottishPowers's Energy Wholesale Business which includes ScottishPower Generation Ltd, Scottish Power Energy Management Ltd and ScottishPower Renewable Energy Ltd	CAP175-CR-03
4	Keadby Generation Ltd.; SSE Energy Supply Ltd.; SSE Generation Ltd.; Medway Power Ltd.; Slough Energy Supplies Ltd.; Airtricity Ltd. And Airtricity Generation (UK) Ltd.	CAP175-CR-04



To : Cusc.Team@uk.ngrid.com

03 November 2009

Dear CUSC Team,

EDF Energy response to CAP175 : "Urgent Amendment Proposals – revision to process"

EDF Energy is delighted to have the opportunity to comment on CUSC Amendment Proposal 175, which we support. We record here our thanks the CUSC Governance Standing Group for their work with Grid in developing this CUSC Amendment Proposal.

We note that one aspect of this new proposal makes clear that requests for urgency in respect of a new CUSC amendment proposal can come from any CUSC party or Consumer Focus, not just from the Party who raised the amendment proposal. We consider this to be an improvement against baseline as the existing restriction does not have any obvious justification; if others wish to make a case that a new modification proposal fits the criteria for Urgency, and the actual proposer for whatever reason has not made the case, then others (any CUSC party or Consumer Focus) should indeed be permitted to make the case for Urgency for consideration in the usual manner.

We note that another aspect of this new proposal mandates that a meeting of the CUSC panel shall be convened to consider Urgency requests, makes pragmatic suggestions as to the approach to be taken by the administrators of the CUSC where not all panellists are readily available for what would be a very short-notice meeting, and it mandates that a report shall be prepared which documents both the CUSC Panel's and Ofgem's position on these requests for Urgency. These aspects of the proposal also seem to represent good practice and, again, we would support them.

Yours sincerely

Dr Sebastian Eyre, for and on behalf of EDF Energy

Bali Virk
Electricity Balancing and Codes
UK Transmission - Commercial
National Grid
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Your ref
Our ref
Name Charles Ruffell
Phone 01793 89 39 83
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29th October, 2009

CAP175: Urgent Amendment Proposals – Revision to Process

CAP176: Correction of errors contained in the provisions for post-implementation reviews for Urgent Amendment Proposals

CAP177: Removal of the CUSC Amendments Panel's ability to raise Amendment Proposals

Dear Bali,

Thank you for the opportunity to comment on the consultation documents for CUSC Amendment Proposals CAP175: Urgent Amendment Proposals – Revision to Process; CAP176: Correction of errors contained in the provisions for post-implementation reviews for Urgent Amendment Proposals; and CAP177: Removal of the CUSC Amendments Panel's ability to raise Amendment Proposals. This response is provided on behalf of the RWE group of companies, including RWE npower, RWE Supply and Trading GmbH and RWE npower renewables, a fully owned subsidiary of RWE Innogy.

We support the views expressed in the consultation document and believe that the amendment proposals reflect discussions at the CUSC Governance Standing Group on the urgency provisions in the CUSC. In our view, it is appropriate that the processes associated with Urgent Amendment Proposals are clarified and we agree with National Grid that CAP 175, CAP 176 and CAP177 better facilitate the Applicable CUSC Objectives. Consequently we support implementation of CAP 175, CAP 176 and CAP177.

We hope these views are helpful and would be happy to discuss them further.

Yours sincerely,

By email so unsigned

Charles Ruffell
Economic Regulation

RWE npower

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National Grid House
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Gallows Hill
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CV34 6DA

Ref CAP175, CAP176 & CAP177
Date 28th October 2009

Tel No. 01355 845207
Email: ukelectricityspoc@saic.com

Dear Beverley,

CUSC Amendment Proposals CAP175, CAP176 & CAP177

Thank you for the opportunity to comment on the Consultation for Amendment Proposals CAP175, CAP176 & CAP177. This response is submitted on behalf of ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and ScottishPower Renewable Energy Ltd.

ScottishPower support the proposed changes around the CUSC Urgent Amendment process. ScottishPower agree that these changes would add clarification, while simplifying the Urgent Proposal process.

I hope you find these comments useful. Should you have any queries on the points raised, please feel free to contact us.

Yours sincerely

Gary Henderson



For and on behalf of: ScottishPower's Energy Wholesale Business which includes ScottishPower Generation Ltd, ScottishPower Energy Management Ltd and ScottishPower Renewable Energy Ltd.

Hook, Carole

From: Virk, Bali
Sent: 28 October 2009 09:39
To: Thomason, Alex; Hook, Carole
Subject: FW: CAP175 Company Consultation

From: Garth.Graham@scottish-southern.co.uk [mailto:Garth.Graham@scottish-southern.co.uk]
Sent: Tuesday, October 27, 2009 5:39 PM
To: Virk, Bali
Subject: Re: CAP175 Company Consultation

Dear Sirs,

CAP175 - Urgent Amendment Proposals – Revision to Process

This response is sent on behalf of Keadby Generation Ltd.; SSE Energy Supply Ltd.; SSE Generation Ltd.; Medway Power Ltd.; Slough Energy Supplies Ltd.; Airtricity Ltd. and Airtricity Generation (UK) Ltd.

We welcome the proposed changes associated with CAP175, namely:-

- 1) 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);
- 2) The Panel Chairman to determine the time by which a decision on urgent matters should be made;
- 3) A meeting of the CUSC Amendments Panel to be convened to discuss any urgent recommendations;
- 4) 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; and
- 5) 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).

This we believe is a pragmatic development in light of the recent experience with 'urgent' CUSC Amendment Proposals. We agree with the National Grid view, as set out in paragraph 1.6 of the consultation document, that this change would better facilitate the Applicable CUSC Objectives and in particular Objective (a).

For the avoidance of doubt, if the proposal outlined in the recent consultation from Ofgem relating to the future appointment of an independent Chair of the CUSC Panel were to proceed then we could see the case for removing the limitation on the Panel Chairman (as set out in paragraph 3.4.2 of the consultation document) where urgency is being requested by the Company.

Regards

Garth Graham, Electricity Market Development Manager

"Virk, Bali" <bali.virk@uk.ngrid.com>

To

cc

03/11/2009

ANENX 2 - REPRESENTATIONS RECEIVED TO THE DRAFT AMENDMENT REPORT

One representation was received following circulation of the draft Amendment Report (circulated on 03/11/09, requesting comments by 5pm on 10/11/09).

Representations were received from the following parties:

No.	Company	File Number
1	EDF Energy	CAP175-AR-01

Hook, Carole

From: Mott, Paul [Paul.Mott@edfenergy.com]
Sent: 06 November 2009 15:48
To: .Box.Cusc.Team
Subject: CUSC Amendment Proposal CAP175 - amendment report - comments

CUSC Amendment Proposal CAP175 - AMENDMENT REPORT VOLUMES 1 and 2

Dear CUSC team,

The amendment report for CAP175 and the summary therein of EDF Energy's submission to the company consultation (reference CAP175-CR-01) appear to be reasonable, comprehensive, and without error. EDF Energy notes the support given to the proposed amendment by the other three respondents, and continues to support the amendment as better facilitating the applicable CUSC objectives, as indicated in more detail in said previous submission by EDF Energy.

Yours faithfully,

Paul Mott writing for EDF Energy

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11/11/2009