

## Connection and Use of System Code (CUSC)

### Title of the CUSC Modification Proposal

*Rewording of the legal text to align the CUSC with the intentions of CMP235/6*

### Submission Date

*10<sup>th</sup> December 2015.*

### Description of the Issue or Defect that the CUSC Modification Proposal seeks to address

*The current wording in section 11 of the CUSC may result in an Interruption which should be classed as Relevant and therefore receive an Interruption payment as intended under CMP235/6, being refused.*

*The definition of an **Associated Export BM Unit** is;*

*an **Export BM Unit** where:*

- (i) that **Export BM Unit** and an **Import BM Unit** are comprised in the **User's Equipment** are both registered as being associated with each other in respect of and listed (in the case of the **Import BM Unit** being referred to as a "Station BM Unit") in **Appendix C** of the same **Bilateral Connection Agreement**; and*

*Within the definition above it states "(in the case of the **Import BM Unit** being referred to as a "Station BM Unit") in **Appendix C** of the same **Bilateral Connection Agreement**;"*

*The legal text for CMP235/236 was written with the intention of aligning it with the latest Appendix C in the schedules within the CUSC. However not all Import BM Units are referred to as "Station BM Unit's" within Appendix C of the BCA's with no obvious standard naming convention consistently applied, as there was never the need to do so prior to the implementation of CMP235/236. The above legal text implies that if the Import BM Unit is not specifically referred to as a "Station BM Unit" within Appendix C this may lead to instances where Relevant Interruptions under the intention of CMP236 do not lead to a payment when it should do. The text is brackets is therefore superfluous and does not need to be as specific.*

*Additionally the current legal text "are both registered as being associated with each other in respect of and listed" implies an extra requirement on Generators to link Station Transformers with the Generating Units dependent on the supply from that Station Transformers.*

*In Ofgem's decision letter for CMP235/236, Ofgem state. "We acknowledge the concerns on potential connection design shortfalls, but we consider that design criteria relating to generation connections should be considered within the appropriate design frameworks and not the CUSC. The CUSC outlines commercial arrangements, whereas design of generators and generator connections should be addressed in planning and operational forums, such as the Grid Code or SQSS".*

*If changes are subsequently made to the Grid Code or SQSS with regards to the above then the CUSC should be changed to reflect this but not until then*

*Therefore although the ultimate intention may be to reflect these design frameworks within the CUSC and explicitly state the relationship between Generating Units and Station Transformers and running arrangements, until or if these changes are made, then the CUSC precedes any changes and is unenforceable.*

## Description of the CUSC Modification Proposal

*This proposal seeks to change the description of an "Associated Export BM Unit" within section 11 to remove the reference to "Station BM Unit" in the description to allow for the variances of the naming of Import BM Units in the BCA's. The proposed legal text is as below, which still retains the intent but removes any ambiguity.*

*The definition of an **Associated Export BM Unit** is;*

an **Export BM Unit** where:

- (i) that **Export BM Unit** and an **Import BM Unit** are comprised in the **User's Equipment** are both registered as being associated with each other ~~in respect of and by being~~ listed ~~(in the case of the **Import BM Unit** being referred to as a "Station BM Unit")~~ in **Appendix C** of the same **Bilateral Connection Agreement**; and

It is possible to search the BM Unit to work out whether or not the BMU is an Import or Export BMU, therefore the wording in brackets is unnecessary.

By removing "in respect of and" and inserting "by being" this maintains the need to show that there is a relationship between the Import and Export BMU's for an Interruption claim to be valid.

## Impact on the CUSC

Section 11

**Do you believe the CUSC Modification Proposal will have a material impact on Greenhouse Gas Emissions? Yes / No**

*Include your view as to whether this Proposal has a quantifiable impact on greenhouse gas emissions. If yes, please state what you believe that the impact will be.*

*You can find guidance on the treatment of carbon costs and evaluation of the greenhouse gas emissions on the Ofgem's website:*

<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=196&refer=Licensing/IndCodes/Governance>

**Impact on Core Industry Documentation. Please tick the relevant boxes and provide any supporting information**

**BSC**

**Grid Code**

**STC**

**Other**   
*(please specify)*

*This is an optional section. You should select any Codes or state Industry Documents which may be affected by this Proposal and, where possible, how they will be affected.*

**Urgency Recommended:**

No

**Justification for Urgency Recommendation**

*If you have answered yes above, please describe why this Modification should be treated as Urgent.*

*An Urgent Modification Proposal should be linked to an imminent issue or a current issue that if not urgently addressed may cause:*

- a) A significant commercial impact on parties, consumers or other stakeholder(s); or*
- b) A significant impact on the safety and security of the electricity and/or has systems;*  
*or*
- c) A party to be in breach of any relevant legal requirements.*

*You can find the full urgency criteria on the Ofgem's website:*

<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=213&refer=Licensing/IndCodes/Governance>

**Self-Governance Recommended:**

Yes

**Justification for Self-Governance Recommendation**

*If you have answered yes above, please describe why this Modification should be treated as Self-Governance.*

*A Modification Proposal may be considered Self-governance where it is unlikely to have a material effect on:*

- *Existing or future electricity customers;*
- *Competition in generation or supply;*
- *The operation of the transmission system;*
- *Security of Supply;*
- *Governance of the CUSC*
- *And it is unlikely to discriminate against different classes of CUSC Parties.*

*This modification proposal looks to reword the legal text so that it aligns with the intentions of CMP235/6. It is not seeking to change anything which has not already been consulted on and approved by Ofgem and will therefore align it to the baseline. You can argue that it does have a material effect but only when compared to the potential unintended consequences of the current wording, but not when compared to the intention of CMP235/6.*

**Should this CUSC Modification Proposal be considered exempt from any ongoing Significant Code Reviews?**

N/A

**Impact on Computer Systems and Processes used by CUSC Parties:**

None

**Details of any Related Modification to Other Industry Codes**

None

**Justification for CUSC Modification Proposal with Reference to Applicable CUSC Objectives:**

*This section is mandatory. You should detail why this Proposal better facilitates the Applicable CUSC Objectives compared to the current baseline. Please note that one or more Objective must be justified.*

**Please tick the relevant boxes and provide justification:**

(a) the efficient discharge by The Company of the obligations imposed upon it by the Act and 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.

(c) compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.

These are defined within the National Grid Electricity Transmission plc Licence under Standard Condition C10, paragraph 1.

Objective (c) was added in November 2011. This refers specifically to European Regulation 2009/714/EC. Reference to the Agency is to the Agency for the Cooperation of Energy Regulators (ACER).

- a) National Grid is obliged to comply with Modification Proposals approved by the Authority and the CUSC. Where the two do not align as intended then this leads to inefficiency
- b) Generators pay TNUoS charges to access the National Electricity Transmission System. These costs end up in the final energy cost. By removing the grey areas within the current wording this gives Generators confidence that they will receive payments (as agreed and expected) for when they cannot access the grid through no fault of their own, thus aligning the service with what they have paid for, and helping keep aligned actual costs with forecasted costs thus improving competition.

## Additional details

<b>Details of Proposer:</b> (Organisation Name)	National Grid Electricity Transmission (NGET)
<b>Capacity in which the CUSC Modification Proposal is being proposed:</b> (i.e. CUSC Party, BSC Party or “National Consumer Council”)	CUSC Party
<b>Details of Proposer’s Representative:</b> Name: Organisation: Telephone Number: Email Address:	Damian Clough National Grid Electricity Transmission (NGET) 01926656416 Damian.Clough@nationalgrid.com
<b>Details of Representative’s Alternate:</b> Name: Organisation: Telephone Number: Email Address:	Paul Wakeley National Grid Electricity Transmission (NGET) 01926656416 Paul.Wakeley@nationalgrid.com
<b>Attachments (Yes/No):</b> <b>If Yes, Title and No. of pages of each Attachment:</b>	
No	

## Contact Us

If you have any questions or need any advice on how to fill in this form please contact the Panel Secretary:

E-mail [cusc.team@nationalgrid.com](mailto:cusc.team@nationalgrid.com)

Phone: 01926 653606

For examples of recent CUSC Modifications Proposals that have been raised please visit the National Grid Website at <http://www2.nationalgrid.com/UK/Industry-information/Electricity-codes/CUSC/Modifications/Current/>

## Submitting the Proposal

Once you have completed this form, please return to the Panel Secretary, either by email to [jade.clarke@nationalgrid.com](mailto:jade.clarke@nationalgrid.com) and copied to [cusc.team@nationalgrid.com](mailto:cusc.team@nationalgrid.com), or by post to:

Jade Clarke  
CUSC Modifications Panel Secretary, TNS  
National Grid Electricity Transmission plc  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
CV34 6DA

If no more information is required, we will contact you with a Modification Proposal number and the date 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, the Proposal can be rejected. You will be informed of the rejection and the Panel will discuss the issue at the next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform you.