

## **Annex 1: CMP397 Legal Text CUSC Exhibit D**

*Tracked changes in green text are changes due to CMP390  
(awaiting Ofgem decision)*

*Tracked changes in red text are changes due to CMP397*

### **CUSC - EXHIBIT D**

#### **THE CONNECTION AND USE OF SYSTEM CODE**

##### **USE OF SYSTEM APPLICATION**

##### **EMBEDDED GENERATOR**

##### **DISTRIBUTION INTERCONNECTOR OWNER**

##### **SMALL POWER STATION TRADING PARTY**

**PLEASE STUDY THE FOLLOWING NOTES BEFORE COMPLETING AND SIGNING THIS APPLICATION FORM.**

Please note that certain expressions which are used in this application form are defined in the Interpretation and Definitions (contained in Section 11 of the **CUSC**) and when this occurs the expressions have capital letters at the beginning of each word and are in bold. If the **Applicant** has any queries regarding this application or any related matters then the **Applicant** is recommended to contact **The Company**<sup>1</sup> where our staff will be pleased to help.

1. **The Company** requires the information requested in this application form for the purposes of preparing an **Offer** (the "**Offer**") to enter into an agreement for use of the **National Electricity Transmission System**. It is essential that the **Applicant** should supply all information requested in this application form and that every effort should be made to ensure that such information should be accurate.
2. Where **The Company** considers that any information provided by the **Applicant** is incomplete or unclear, or further information is required, the **Applicant** will be requested to provide further information or clarification. The provision/clarification of this information may impact on **The Company's** ability to commence preparation of an **Offer**.
3. Should there be any change in the information provided by the **Applicant** immediately inform **The Company** of such a change. Where this is a change in the information provided for Sections B to D then the **Applicant** should inform **The Company** to see if such a change can be accommodated as it is unlikely that material changes could be accommodated. If **The Company** cannot accommodate such a change bearing in mind the timescales within which the **Offer** must be made then the application will be processed on the original information although it is open to the **Applicant** to withdraw the application.
4. **The Company** shall charge the **Applicant**, and the **Applicant** shall pay to **The Company**, **The Company's** Engineering Charges in relation to the application. A fee will be charged by **The Company** in accordance with the **Charging Statements**. No application will be considered until such payment has been received.
5. The effective date upon which the application is made shall be the later of the date when **The Company** has received the application fee pursuant to Paragraph 4 above or the date when **The Company** is reasonably satisfied that the **Applicant** has completed Sections A-D. **The Company** shall notify the **Applicant** of such date.
6. **The Company** will make the **Offer** in accordance with the terms of Paragraph 3.7 (**Use of System Application**) and Paragraph 6.10 (~~**Modifications**~~ and **New Connection Sites**) of the **CUSC** and the

## Transmission Licence.

7. **The Company** will make the **Offer** as soon as is reasonably practicable and, in any event, within 28 days of the effective date of the application or such later period as the **Authority** agrees to. The **Offer** may, where it is necessary to carry out additional extensive system studies to evaluate more fully the impact of the proposed development, indicate the areas that require more detailed analysis. Before such additional studies are required, the **Applicant** shall indicate whether it wishes **The Company** to undertake the work necessary to proceed to make a revised **Offer** within the 28 days period or, where relevant the timescale consented to by the **Authority**. To enable **The Company** to carry out any of the above mentioned necessary detailed system studies the **Applicant** may, at the request of **The Company**, be required to provide some or all of the **Detailed Planning Data** listed in Part 2 of the Appendix to the **Planning Code** which is part of the **Grid Code**.
8. In the course of processing your application, it may be necessary:
  - (a) for **The Company** to consult the appropriate **Public Distribution System Operator(s)** on matters of technical compatibility of the **National Electricity Transmission System** with their **Distribution System(s)** or to consult the **Relevant Transmission Licensees** to establish the works required on the **National Electricity Transmission System**. On grounds of commercial confidentiality **The Company** shall need your authorisation to the release to the **Public Distribution System Operator(s)** or the **Relevant Transmission Licensees** of certain information contained in your application. Any costs incurred by **The Company** in consulting the **Public Distribution System Operator(s)** or **Relevant Transmission Licensees** would be included in **The Company Charges** for the application. If it is found by the **Public Distribution System Operator(s)** that any work is required on their **Distribution System(s)**, then it will be for the **Public Distribution System Operator(s)** and the **Applicant** to reach agreement in accordance with Paragraph 6.10.3 of the **CUSC**; or
  - (b) for **The Company** to share with the **Competent Authority** information from the application relevant in the consideration of control of qualifying assets under (and as defined in) the National Security and Investment Act 2021.
9. In accordance with 6.30.3 of **CUSC** **The Company** will need to disclose details of the **Bilateral Embedded Generation Agreement** entered into and shall need authorisation from the **Applicant** in respect of this.
10. If the **Applicant** is not already a **CUSC Party** the **Applicant** will be required as part of this application form to undertake that he will comply with the provisions of the **Grid Code** for the time being in force. Copies of the **Grid Code** and the **CUSC** are available on **The Company's Website** and the **Applicant** is advised to study them carefully. **Data** submitted pursuant to this application shall be deemed submitted pursuant to the **Grid Code**.

11. **The Company's Offer** will be based to the extent appropriate upon its standard form terms for **Use of System Offer** and the **Charging Statements** issued by **The Company** under Standard Conditions C4 and C6. The **Applicant** should bear in mind **The Company 's** standard form terms of **Offer** when making this application.
12. In particular please note that **The Company** may require as a condition of the **Offer**, that the **Applicant's Plant** or **Apparatus** should meet or provide some or all of the technical requirements set out in the Appendices of the draft **Bilateral Embedded Generation Agreement** attached to **The Company's** standard form terms of **Offer** and may propose that the **Applicant's Plant** or **Apparatus** should have the capability to provide **Mandatory Ancillary Services**.
13. As provided for in **Grid Code** CC8.1 Generators and DC Converter station owner should appreciate that they will be required to perform **Mandatory Ancillary Services** to ensure that System Operational Standards can be achieved. This requirement may have implications towards plant specification. You should be satisfied before an application is made that your intended plant design can meet the requirements.



14. **The Applicant** has the ability to pay a fixed price application fee in respect of their application or pay the actual costs incurred (variable price application fee). The fixed price application fee is derived from analysis of historical costs of similar applications. The variable price application fee is based on an advance of the Transmission Licensee's Engineering and out of pocket expenses and will vary according to the size of the scheme and the amount of work involved. The **Applicant** is requested to indicate their preferred basis of application fee in Section A question 4. The **Applicant** is advised that further information can be obtained from the **Charging Statements** which can be found on **The Company's Website**<sup>3</sup>.
15. **Applicants** have the option to request a **Connection Offer** on the basis of a **Design Variation**. In requesting such an **Offer**, the **Applicant** acknowledges that the connection design (which provides for connection to the **National Electricity Transmission System**) will fail to satisfy the deterministic criteria detailed in paragraphs 2.5 to 2.13 of the **NETSSQSS**. In making such an **Offer**, in accordance with its obligations under Paragraphs 2.13.2 and 2.13.7 of **CUSC**. **The Company** may include **Restrictions on Availability**. If **Applicants** require further assistance on this option they are recommended to contact **The Company** before completing this application form.
16. Please complete this application form in black print and return it together with the appropriate application fee to The Company. In addition to returning the application to the Customer Services Manager an electronic form may be e-mailed to **The Company**.
17. For the most up to date contact details applicants are advised to contact **The Company Website**.

## APPLICATION FOR USE OF SYSTEM

PLEASE ENSURE THAT YOU HAVE STUDIED THE NOTES BEFORE  
COMPLETING AND SIGNING THIS APPLICATION FORM

### SECTION A. DETAILS OF APPLICANT (in respect of this application)

1. **Registered Company**

Name:

Address (of Registered Office in the case of a Company):

.....

.....

.....

Company Number:

Parent Company Name (if applicable):

2. **Company Secretary or person to receive CUSC notices**

Name:

Email:

Telephone:

Fax:

3. **Commercial Contact/Agent (person to receive Offer if different from  
Company Secretary or person to receive CUSC notices identified in  
2 above)**

Name:

Title:

Address:

.....

.....

Email:

Telephone:

Fax:

## APPLICATION FOR USE OF SYSTEM

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4. Please identify which application fee basis you wish to use for this application.

Fixed application fee ☐

Variable application fee ☐

5. If this is an application for connection to the **National Electricity Transmission System** in England and Wales please complete 5a. If this is an application for connection to the **National Electricity Transmission System** in Scotland please complete 5b.

- 5a Have you made any applications for connection to the **National Electricity Transmission System** in Scotland which are being processed prior to **Offer** by **The Company** or where an **Offer** has been made that **Offer** has not yet been accepted by you but remains open for acceptance?

If so, are such applications intended as alternatives to this one i.e. you intend to choose which of this or those other applications to proceed with on the basis of the offer made.

Yes – please list the applications.

.....  
.....

No ☐

Not sure ☐

(**The Company** will contact you to clarify)

- 5b Have you made any applications for connection to the **National Electricity Transmission System** in England and Wales which are being processed prior to **Offer** by **The Company** or where an **Offer** has been made that **Offer** has not yet been accepted by you but remains open for acceptance?

If so, are such applications intended as alternatives to this one i.e. you intend to choose which of this or those other applications to proceed with on the basis of the offer made.

Yes – please list the applications.

.....  
.....

## APPLICATION FOR USE OF SYSTEM

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No ☐

Not sure ☐

**(The Company** will contact you to clarify)

## APPLICATION FOR USE OF SYSTEM

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### SECTION B: THE PROPOSED SITE OF CONNECTION TO A DISTRIBUTION SYSTEM

1. Please identify (preferably by reference to an extract from Ordnance Survey Map) the intended location of the **Plant** and **Apparatus** (the "User Development") which it is desired should be connected to the **Distribution System**.

.....

.....

.....

2. If you believe that a new sub-station will be needed, please indicate by reference to a plan your suggested location for it.

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.....

## APPLICATION FOR USE OF SYSTEM

PLEASE ENSURE THAT YOU HAVE STUDIED THE NOTES BEFORE COMPLETING AND SIGNING THIS APPLICATION FORM

### SECTION C. TECHNICAL INFORMATION

1. Summary of Application (brief description of plant to be connected):  
.....  
.....  
.....
2. Please provide the data listed in Part 1 of the Appendix to the **Planning Code** which are applicable to you. Note: the data concerned forms part of the **Planning Code** and **Data Registration Code**. **Applicants** should refer to these sections of the **Grid Code** for an explanation. Further guidance is available from **The Company** on request.
3. Please provide a copy of your **Safety Rules** if not already provided to **The Company**.  

Included	<input type="checkbox"/>
Already provided	<input type="checkbox"/>
Will be provided later	<input type="checkbox"/>
4. Please indicate if your plant may be able to provide (or you could consider providing) the following technical capability:-
  - a. Generation from Auxiliary Units (Reserve Services) ☐
  - b. Spinning Generation ☐
  - c. Fast Start capability ☐
  - d. Frequency Response above Mandatory requirements ☐
  - e. Demand Reduction / Management ☐
  - f. Reactive capability above Mandatory requirements ☐
  - g. Synchronous Compensation ☐
  - h. Black Start Capability ☐
  - i. Emergency Maximum Generation ☐
  - j. Intertrip ☐
  - k. Other (please detail below) ☐

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.....

.....  
**The Company's Website** provides more information on the terms it offers  
for such technical capability.

5. Please state the required **Transmission Entry Capacity**..... MW

6. Please state the required **Maximum Capacity (at BMU level)** ..... MW

57. Please confirm if:

a. You would like an offer that is compliant with the deterministic criteria  
detailed in paragraphs 2.5 to 2.13 of the **National Electricity  
Transmission System SQSS** YES/NO

and/or

b. You would like an offer on the basis of a Design Variation  
YES/NO

.....  
If yes, please provide any information relevant to such an offer below.

.....

.....

If yes, please confirm if you require information from The Company  
in relation to the probability of Notification of Restrictions on



## **APPLICATION FOR USE OF SYSTEM**

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Availability being issued YES/NO

## APPLICATION FOR USE OF SYSTEM

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### SECTION D. PROGRAMME

Please provide a suggested development and construction programme in bar chart form for the work necessary to install the **User Development** indicating the anticipated date when the connection will be required to be made and any other key dates such as back feed date.

If not already included in the above bar chart please provide details of when the **Applicant** expects to be completing the substantive works that lead to the completion of the following phases of the **User Development** or reach the following relevant key milestones below and other additional milestones as necessary (working backwards from expected connection date at 'year 0'). This information is expected to provide the anticipated project overview at the time of application:-

- Planning Application Submitted (Town & Country Planning\*, S36,S37)
- Planning Consent Awarded
- Plant Ordered (i.e. **Power Station** or substation)
- Construction Started (site mobilisation)
- Construction Completed

#### Notes

- \* The consent for the **User's Power Station** granted under Section 36 of the Electricity Act or planning permission for the **User's Power Station** granted under the Town and Country Planning Act 1990 or any amendment thereto in England and Wales or the Town and Country Planning (Scotland) Act 1997 or any amendment thereto in Scotland.

## APPLICATION FOR USE OF SYSTEM

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Section E. ENABLING WORKS [EXCEPT *DISTRIBUTION*  
*INTERCONNECTOR OWNER*]

1. We confirm we do not/do want the **Enabling Works** to be greater in scope than the **MIT S Connection Works**.
2. If you want the **Enabling Works** to be greater in scope than the **MIT S Connection Works** specify the concerns, reasons or technical requirements that you are seeking to address by this.

## APPLICATION FOR USE OF SYSTEM

PLEASE ENSURE THAT YOU HAVE STUDIED THE NOTES BEFORE COMPLETING AND SIGNING THIS APPLICATION FORM

### USE OF SYSTEM APPLICATION

Please study the notes before completing and signing this application form.

1. We hereby apply to use the **National Electricity Transmission System** from our connection to [ ] **Distribution System**.
2. We will promptly inform **The Company** of any change in the information given in this application as quickly as practicable after becoming aware of any such change.
3. If we are not already a **CUSC Party** we undertake for the purposes of this application to be bound by the terms of the **Grid Code** from time to time in force and to sign a **CUSC Accession Agreement**.
4. We authorise the release of certain information, on the grounds of commercial confidentiality, (a) to the appropriate **Public Distribution System Operator(s)** or **Relevant Transmission Licensees** should it be considered necessary and (b) to the **Competent Authority** relevant in the consideration of control of qualifying assets under (and as defined in) the **National Security and Investment Act 2021**.
5. We confirm that we do/do not meet the **Approved Credit Rating** [and **The Company Credit Rating**].
6. We confirm our agreement to the disclosure in the manner set out in Paragraph 6.30.3 of **CUSC** of the information specified in such Paragraph.
7. We confirm that we are applying in the category of :

<b>Embedded Generator</b>	<b>[ ]</b>
<b>Distribution Interconnector Owner</b>	<b>[ ]</b>
<b>Small Power Station Trading Party</b>	<b>[ ]</b>

[Please tick correct option]. SIGNED BY:

.....  
For and on behalf of the **Applicant**

Date:

**END OF EXHIBIT D**