

Working Group Terms of Reference and Membership

TERMS OF REFERENCE FOR CAP169 WORKING GROUP

1. The Balancing Services Standing Group (BSSG) has been actioned to act in the capacity of a Working Group for the evaluation of CAP169. Nominations from parties not currently represented on the BSSG have been invited.
2. Given the consequential Grid Code change which may be required as a result of CAP169 an invitation for Grid Code Panel representation has also been made. Therefore these Terms of Reference apply to a joint Working Group with the Grid Code, under the governance of the CUSC. An overview of the governance process envisaged is outlined in annex 1.

RESPONSIBILITIES

3. The Working Group is responsible for assisting the CUSC Amendments Panel in the evaluation of CUSC Amendment Proposal CAP169 tabled by National Grid at the Amendments Panel meeting on 27th February 2009.
4. The Working Group is also responsible for considering the corresponding Grid Code changes required by the proposal, and reporting accordingly to the Grid Code Review Panel.
5. The relevant aspects of the proposal must be evaluated to consider whether it better facilitates achievement of the applicable CUSC and Grid Code objectives.

SCOPE OF WORK

6. 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. The consequential Grid Code changes must be evaluated in line with the Grid Code objectives.
7. In addition to the overriding requirement of paragraph 6, the Working Group shall consider and report on the following specific issues:
 - Identify the consequences of the proposed amendment/any WGAAAs, including, but not limited to:
 - Impact on the CUSC/Grid Code and any other associated documents
 - Impact on CUSC/Grid Code parties and other affected parties
 - Impact on industry and wider issues as appropriate in accordance with the applicable CUSC/Grid Code objectives
 - Review with regards to the Guidelines for the Assessment of Carbon Costs Associated with Code Amendments
 - Consider implementation
8. The Working Group is responsible for the formulation and evaluation of any Working Group Alternative Amendments (WGAAs) 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.

9. 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.
10. There is an obligation on the Working Group Members to propose the minimum number of Working Group Alternatives where possible.
11. 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.
12. There is an obligation on the Working Group to undertake a period of Consultation in accordance with CUSC 8.17. This consultation will relate only to proposed changes to the CUSC (as with usual practice for CUSC Working Group consultations any relevant consequential Grid Code changes will be outlined in the consultation). The Working Group Consultation period shall be for a period of 2 weeks as determined by the Amendments Panel.
13. Following the Consultation period the Working Group is required to consider all responses including any WG Consultation Requests. As appropriate the Working Group will be required to undertake any further analysis and update the Original and/or Working Group Alternatives. All responses including any WG Consultation Requests shall be included within the final report including a summary of the Working Groups deliberations and conclusions.
14. The Working Group is to submit their final report to the CUSC Panel Secretary on 18th June 2009 for circulation to Panel Members. The conclusions will be presented to the CUSC Panel meeting on 26th June 2009.
15. The Working Group will also prepare a report for submission to the Grid Code Review Panel. The Working Group will endeavour to prepare this report for consideration by the Grid Code Review Panel at the meeting on May 21st 2009.

MEMBERSHIP

16. Membership of the joint Working Group for CAP169 will be drawn from the Grid Code Review Panel, or their nominated representatives, the BSSG, additional nominated CUSC party representatives and the Authority.
17. It is recommended that the Working Group has the following members:

Chair	Malcolm Arthur	
National Grid	Carole Hook/Katharine Clench	
Industry representatives	Jonathan Atyeo	GDF

	Claver Chitambo	RES
	James Evans	British Energy
	Claire Maxim	E.on (GCRP member)
	Campbell McDonald	SSE (GCRP member)
	Christopher Proudfoot	Centrica
	Raoul Thulin	RWE
Authority representative	Lesley Nugent Roberta Fernie	Ofgem Ofgem
Technical Secretary	Bushra Akhtar	National Grid
Observer	Peter Twomey	UUES

18. 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 CAP169 is that at least 5 Working Group members must participate in a meeting for quorum to be met.
19. 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. A recommendation regarding any proposed Grid Code change should also be made.
20. Working Group Members or their appointed alternates are required to attend a minimum of 50% of the Working Group Meetings to be eligible to participate in the Working Group vote.
21. The Technical Secretary is 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 Group Report.
22. The membership can be amended from time to time by the CUSC Amendments Panel.

RELATIONSHIP WITH AMENDMENTS PANEL

23. 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.
24. The Working Group shall seek the Amendments Panel advice if a significant issue is raised during the Consultation process which would require a second period of Consultation in accordance with 8.17.17.
25. 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

26. 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

27. The Working Group Chairman shall prepare a final report to the 26th June 2009 CUSC Amendments Panel responding to the matter set out in the Terms of Reference including all Working Group Consultation Responses and Requests.
28. A report will also be prepared for submission to the Grid Code Review Panel. The Working Group will endeavour to prepare this for consideration at the meeting on May 21st 2009.
29. A draft Working Group Report must be circulated to Working Group members with not less than five business days given for comments.
30. Any unresolved comments within the Working Group must be reflected in the final Working Group Report.
31. The Chairman (or another member nominated by him) will present the Working Group report to the Amendments Panel and Grid Code Review Panel as required.

Annex 1

