

## Connection and Use of System Code (CUSC)

### Title of the CUSC Modification Proposal

Code Governance Review (Phase 2): CUSC Modification Fast Track and Objection Process

### Submission Date

18<sup>th</sup> July 2013

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

The Code Governance Review (Phase 2) seeks to extend the current Self Governance arrangements. Fast Track Self Governance would allow for minor housekeeping changes to be approved by the CUSC Panel without the need to follow the full modification process. This would allow for minor housekeeping changes to be implemented in a shorter timescales.

### Description of the CUSC Modification Proposal

This proposal seeks to introduce a new process for CUSC Modification Proposals, whereby if the CUSC Modifications Panel unanimously determines that it meets the Fast Track Criteria as detailed below the modification will proceed without Authority approval. This is as a result of Ofgem's Code Governance Review (Phase 2). This process is intended for Proposals which meet the Self-Governance Criteria and is for very minor housekeeping changes to the CUSC as result of an error or factual change including but not limited to:

- Updating names and address listed in the **CUSC**
- Correcting minor typographical errors
- Correcting formatting and consistency errors such as paragraph numbering or
- Updating out of date references to other documents or paragraphs

National Grid proposes the following Modification to the CUSC to insert the following process:

a) Where a proposer has specifically indicated that they would like the CUSC Modification Proposal to be considered as a CUSC Modification Fast Track Proposal (CMFTP) the proposed changes would be detailed within a CUSC Modification Fast Track Report. The CUSC Modifications Panel may still consider the Fast Track route for a CUSC Modification Proposal, regardless of whether the Proposer has indicated this.

b) The Proposer should submit a draft CUSC Modification Fast Track Report to the CUSC Panel Secretary 10 business days prior to the CUSC Modifications Panel meeting (or a shorter period as the Panel Secretary may agree, noting that the minimum timescale would be 5 business days). The Code Administrator will update the draft CUSC Modification Fast Track Report, which will include the proposed legal text for circulation and publication on CUSC Papers day.

c) At the CUSC Modifications Panel meeting the CUSC Panel members would have to agree unanimously that the CMFTP meets the Fast Track Criteria. If the CUSC Modification Panel were not unanimous this would be an indication that the change is not manifestly obvious or a clear matter of fact.

d) If the CUSC Modification Panel view is not unanimous that the proposed modification meets the Fast Track

Criteria the Panel Secretary shall request further information from the Proposer and if this is not received within 28 days of the request, the Panel Secretary may reject the Proposal.

e) Where the CUSC Modification Panel's view is unanimous that the proposed modification meets the Fast Track Criteria, and the CUSC Modification Panel unanimously determines that the modification should be made, this will be detailed and confirmed in the CUSC Modification Fast Track Report.

f) There will be no evaluation against the CUSC Applicable objectives, as this not a licence requirement for a CUSC Fast Track Modification Proposal.

g) The CUSC Panel would determine their decision based on scrutiny and discussion of the proposed modification.

h) It is intended that the Panel will update and approve the CUSC Modification Fast Track Report with the Panel's view on the day of the CUSC Modification Panel meeting.

i) The approved CUSC Fast Track Report will be published on the National Grid website after the CUSC Panel makes its decision. At this time the Code Administrator will notify the industry that the CUSC Modification Fast Track Report has been published.

j) The Approved CUSC Modification Fast Track Proposal would be implemented no sooner than 16 business days after the publication of the approved CUSC Modification Fast Track Report, providing no objections have been raised in this period. The objection process will also be detailed in the CUSC Modification Fast Track Report.

#### **Objections**

a) The 15 business days objection window would commence from the publication of the approved CUSC Modification Fast Track Report.

b) All parties that can propose a modification to the CUSC can raise an objection.

c) An email will be sent to the CUSC Panel Secretary at [CUSC.Team@nationalgrid.com](mailto:CUSC.Team@nationalgrid.com) with an explanation as to why the objecting party believes it does not meet the Fast Track Criteria.

d) If an objection is received the Panel Secretary will notify the CUSC Parties and the Authority that the Approved CUSC Modification Fast Track Proposal shall not be implemented.

e) The CUSC Panel Secretary shall notify the Proposer that additional information is required, if the Proposer wishes the CUSC Fast Track Modification Proposal to continue as a CUSC Modification Proposal.

f) The CUSC Panel Secretary may reject the CUSC Modification Proposal if the additional information has not been received within 28 days.

#### **Impact on the CUSC**

Initial assessment of the CUSC suggests that changes are required to Section 8 and 11 of the CUSC, for clarification purposes this will also include a defined term for Approved CUSC Modification Self Governance Proposals.

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

No.

**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: Yes / No**

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 / No**

No.

**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.*

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

Yes.

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

N/A

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

STC and BSC.

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

**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.

CMP220 seeks to implement a Fast Track Self Governance aspect of the CGR (Phase 2) final proposals and meet the new requirements under the modified electricity Transmission Licence. This will allow for a more efficient process for minor housekeeping changes.

(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).

**Additional details**

<b>Details of Proposer:</b> (Organisation Name)	National Grid Electricity Transmission Ltd
<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:	Bali Virk National Grid 01926656023 <a href="mailto:Bali.Virk@nationalgrid.com">Bali.Virk@nationalgrid.com</a>
<b>Details of Representative's Alternate:</b> Name: Organisation: Telephone Number: Email Address:	Louise McGoldrick National Grid 01926655422 <a href="mailto:Louise.McGoldrick@nationalgrid.com">Louise.McGoldrick@nationalgrid.com</a>
<b>Attachments (Yes/No):</b> <b>If Yes, Title and No. of pages of each Attachment:</b> Yes  Proposed legal text Section 8 and 11 Proposed CUSC Modification Fast Track Report Fast Track process flow diagram	