

Workgroup Terms of Reference and Membership

TERMS OF REFERENCE FOR CMP241 WORKGROUP

CMP241 aims to treat Profile Classes 5-8 which move to being Half-Hourly settled after 1st April 2015/16 Charging Year for the purposes of TNUoS charging to avoid liabilities being higher than originally forecast. CMP241 is recommended by the CUSC Modifications Panel to be progressed as an Urgent CUSC Modification Proposal and to follow an expedited timetable.

Responsibilities

1. The Workgroup is responsible for assisting the CUSC Modifications Panel in the evaluation of CUSC Modification Proposal **241 'TNUoS Demand Charges during the Implementation of P272'** tabled by National Grid Electricity Transmission Plc at a special CUSC Modifications Panel meeting held on 25th February 2015.
2. The proposal must be evaluated to consider whether it better facilitates achievement of the Applicable CUSC Objectives. These can be summarised as follows:

Use of System Charging Methodology

(a) that compliance with the use of system charging methodology facilitates effective competition in the generation and supply of electricity and (so far as is consistent therewith) facilitates competition in the sale, distribution and purchase of electricity;

(b) that compliance with the use of system charging methodology results in charges which reflect, as far as is reasonably practicable, the costs (excluding any payments between transmission licensees which are made under and in accordance with the STC) incurred by transmission licensees in their transmission businesses and which are compatible with standard condition C26 (Requirements of a connect and manage connection);

(c) that, so far as is consistent with sub-paragraphs (a) and (b), the use of system charging methodology, as far as is reasonably practicable, properly takes account of the developments in transmission licensees' transmission businesses.

(d) 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 (d) refers specifically to European Regulation 2009/714/EC. Reference to the Agency is to the Agency for the Cooperation of Energy Regulators (ACER).

3. It should be noted that additional provisions apply where it is proposed to modify the CUSC Modification provisions, and generally reference should be made to the Transmission Licence for the full definition of the term.

Scope of work

4. The Workgroup must consider the issues raised by the Modification Proposal and consider if the proposal identified better facilitates achievement of the Applicable CUSC Objectives.
5. In addition to the overriding requirement of paragraph 4, the Workgroup shall consider and report on the following specific issues:
 - a) *Assess Suppliers ability to provide metering data for Measurement Class E meters, which were originally within Profile Classes 5-8 and have moved to being Half Hourly settled prior to April 1st 2015*
 - b) *Assess how Suppliers obtain demand data per meter and how this then feeds through to the end consumer bill with the objective of; determining whether a Supplier can treat actual HH settled meters as NHH settled meters within their own systems for the purposes of applying TNUoS charges*
 - c) *In relation to a) and b) determine if there are any necessary changes to systems to aid the implementation of the modification and if so; the timescales and likely costs of any changes*
 - d) *Implementation*
 - e) *Review illustrative legal text*
6. The Workgroup is responsible for the formulation and evaluation of any Workgroup Alternative CUSC Modifications (WACMs) arising from Group discussions which would, as compared with the Modification Proposal or the current version of the CUSC, better facilitate achieving the Applicable CUSC Objectives in relation to the issue or defect identified.
7. The Workgroup should become conversant with the definition of Workgroup Alternative CUSC Modification which appears in Section 11 (Interpretation and Definitions) of the CUSC. The definition entitles the Group and/or an individual member of the Workgroup to put forward a WACM if the member(s) genuinely believes the WACM would better facilitate the achievement of the Applicable CUSC Objectives, as compared with the Modification Proposal or the current version of the CUSC. The extent of the support for the Modification Proposal or any WACM arising from the Workgroup's discussions should be clearly described in the final Workgroup Report to the CUSC Modifications Panel.
8. Workgroup members should be mindful of efficiency and propose the fewest number of WACMs possible.
9. All proposed WACMs should include the Proposer(s)'s details within the final Workgroup report, for the avoidance of doubt this includes WACMs which are proposed by the entire Workgroup or subset of members.
10. There is an obligation on the Workgroup to undertake a period of Consultation in accordance with CUSC 8.20. The Workgroup Consultation period shall be

for a period of 3 Working days in accordance with the timetable for urgency recommended by the CUSC Modifications Panel.

11. Following the Consultation period the Workgroup is required to consider all responses including any WG Consultation Alternative Requests. In undertaking an assessment of any WG Consultation Alternative Request, the Workgroup should consider whether it better facilitates the Applicable CUSC Objectives than the current version of the CUSC.

As appropriate, the Workgroup will be required to undertake any further analysis and update the original Modification Proposal and/or WACMs. All responses including any WG Consultation Alternative Requests shall be included within the final report including a summary of the Workgroup's deliberations and conclusions. The report should make it clear where and why the Workgroup chairman has exercised his right under the CUSC to progress a WG Consultation Alternative Request or a WACM against the majority views of Workgroup members. It should also be explicitly stated where, under these circumstances, the Workgroup chairman is employed by the same organisation who submitted the WG Consultation Alternative Request.

12. The Workgroup is to submit its final report to the Modifications Panel Secretary on 12th March 2015 for circulation to Panel Members. The final report conclusions will be presented to the CUSC Modifications Panel at a special meeting on 13th March 2015.

Membership

13. It is recommended that the Workgroup has the following members:

Role	Name	Representing
<i>Chairman</i>	Patrick Hynes	
<i>National Grid Representative*</i>	Damian Clough	National Grid
<i>Industry Representatives*</i>	TBC	TBC
	TBC	TBC
	TBC	TBC
	TBC	TBC
	TBC	TBC
	TBC	TBC
	TBC	TBC
<i>Authority Representatives</i>	TBC	TBC
<i>Technical secretary</i>	Jade Clarke	Code Administrator
<i>Observers</i>		

NB: A Workgroup must comprise at least 5 members (who may be Panel Members). The roles identified with an asterisk in the table above contribute toward the required quorum, determined in accordance with paragraph 14 below.

14. The Chairman of the Workgroup and the Modifications Panel Chairman must agree a number that will be quorum for each Workgroup meeting. The agreed figure for CMP241 is that at least 5 Workgroup members must participate in a meeting for quorum to be met.
15. A vote is to take place by all eligible Workgroup members on the Modification Proposal and each WACM. The vote shall be decided by simple majority of those present at the meeting at which the vote takes place (whether in person or by teleconference). The Workgroup chairman shall not have a vote, casting or otherwise. There may be up to three rounds of voting, as follows:
- Vote 1: whether each proposal better facilitates the Applicable CUSC Objectives;
 - Vote 2: where one or more WACMs exist, whether each WACM better facilitates the Applicable CUSC Objectives than the original Modification Proposal;
 - Vote 3: which option is considered to BEST facilitate achievement of the Applicable CUSC Objectives. For the avoidance of doubt, this vote should include the existing CUSC baseline as an option.
- The results from the vote and the reasons for such voting shall be recorded in the Workgroup report in as much detail as practicable.
16. It is expected that Workgroup members would only abstain from voting under limited circumstances, for example where a member feels that a proposal has been insufficiently developed. Where a member has such concerns, they should raise these with the Workgroup chairman at the earliest possible opportunity and certainly before the Workgroup vote takes place. Where abstention occurs, the reason should be recorded in the Workgroup report.
17. Workgroup members or their appointed alternate are required to attend a minimum of 50% of the Workgroup meetings to be eligible to participate in the Workgroup vote.
18. The Technical Secretary shall keep an Attendance Record for the Workgroup meetings and circulate the Attendance Record with the Action Notes after each meeting. This will be attached to the final Workgroup report.
19. The Workgroup membership can be amended from time to time by the CUSC Modifications Panel.

Appendix 1 – Indicative Workgroup Timetable

The following timetable is indicative for CMP241

23 February 2015	CUSC Modification Proposal and request for Urgency submitted
25 February 2015	CUSC Panel considers Proposal and request for Urgency
25 February 2015	Panel's view on urgency submitted to Ofgem for consultation
25 February 2015	Request for Workgroup members (2 Working days)
27 February 2015	Ofgem view on urgency provided
2 March 2015	Workgroup meeting 1
4 March 2015	Workgroup Consultation issued (3 Working days)
9 March 2015	Deadline for responses
10 March 2015	Workgroup meeting 2
12 March 2015	Workgroup report issued to CUSC Panel

13 March 2015	Special Panel meeting to approve report
13 March 2015	Code Administrator Consultation issued (2 Working days)
17 March 2015	Consultation closes
18 March 2015	Draft FMR published for industry comment (1 working day)
19 March 2015	Deadline for comments
20 March 2015	Draft FMR circulated to Panel (1 working day review)
23 March 2015	Special Panel meeting for Panel Recommendation Vote
23 March 2015	Final FMR circulated for Panel comment
24 March 2015	Deadline for Panel comment (1 working day review)
25 March 2015	Final report sent to Authority for decision
31 March 2015	Indicative Authority Decision due (4 working days)
1 April 2015	Implementation Date

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