

DCUSA Change Proposal Form

This form is provided in accordance with Clause 10.5 of the DCUSA.

Please return completed forms to DCUSA@electralink.co.uk for assessment by the DCUSA Panel.

Document Control	
CP Status	Standard
Date Submitted	12/10/09
CP Number	DCP 052
Version Number	V1.0
CP Ref	10/09
Attachments	None

Originator Details	
Party Name	E.ON UK
Originator Name	Glenn Sheern
Party Category	Supplier
Email Address	glenn.sheern@eonenergy.com
Telephone Number	07834 621647

Change Proposal Details	
CP Title	Material Breach Notices
Impacted DCUSA Parties	Distributor / Supplier / IDNO /
Impacted Clause / Schedule	Clause 23.4 – Material Breach
Authority Consent Required	No
Summary of Change	To amend the drafting to require the Company to give notice to the DCUSA Secretariat when it suspends registration services in accordance with the provisions of the MRA.
Related Change Proposals	<i>Please indicate if this CP is related to or impacts any other CP already in the DCUSA or other industry Change Process</i>

Change Proposal Intent
<i>Please set out the intent of the CP and the issue it is seeking to address</i>
Clause 23.4 sets out that failure to remedy a Payment Default within 4 Working Days as a Material Breach of the Agreement. The Company is entitled to suspend registration activities in accordance with the provisions of the MRA. The Company is required to send a copy of any notice that is required to issue pursuant to those provisions to the User. This CP seeks to update the drafting to require the Company to provide a copy of that notice to the DCUSA Secretariat also.

Business Justification & Market Benefits
--

It is important that DCUSA is made aware if Parties to the agreement are in Material Breach and if activities are taking place under other Agreements as a consequence of that action. The Panel has obligations under Section 54 of the DCUSA (Termination) that are initiated in the event that a Material Breach is not remedied within 20 Working Days. DCUSA therefore needs to be made aware when such an effect is first triggered.

Proposed Implementation Date

Please specify and give a reason if proposed date is outside the release schedule (February / June / November)

February 2010

Proposed Solution

Please insert proposed change marked legal drafting here. The Change Proposal Intent will take precedence in the event of any inconsistency

23.4 Failure to remedy a Payment Default within four Working Days of receipt of a Late Payment Notice shall be a material breach of this Agreement for the purposes of Clause 54.1.1 and the Company shall be entitled to take actions to suspend registration services in accordance with the provisions of the Master Registration Agreement. Where the Company takes such action, it shall send a copy of any notice that it is required to issue pursuant to those provisions to the User and to the DCUSA Secretariat.

DCUSA Objectives

Please state which DCUSA Objective(s) will be better facilitated by this CP and give supporting reasons

4. The promotion of efficiency in the implementation and administration of this Agreement.

Environmental Impact

Please indicate whether you consider that there may be any environmental impact as a consequence of this CP being implemented

None