

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 / Urgent
Date Submitted	14/07/10
CP Number	<i>DCP 068</i>
Version Number	1.0
CP Ref	<i>07/10</i>
Attachments	

Originator Details	
Company Name	ESP Electricity Limited
Originator Name	Donna Townsend
Category	Distributor / Supplier / IDNO / DG / OTSO / Other (please specify)
Email Address	donnat@espipelines.com
Telephone Number	01372 225504

Change Proposal Details	
CP Title	Clarification of Clause 12.10
Impacted parties	Distributor / Supplier / IDNO / DG / OTSO / Other (please specify)
Impacted Clause / Schedule	12.10
Authority Consent Required	Yes, because Clause 12 is identified by Clause 9.5.1 of the DCUSA as a part 1 matter.
Summary of Change	The CP seeks to address a lack of clarity in Clause 12.10
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> n/a

Change Proposal Intent	
<i>Please set out the intent of the CP and the issue it is seeking to address</i>	
<p>The CP identifies that there is a lack of clarity in Clause 12.10.</p> <p>Clause 12.9 sets out the mechanism for calculating the weighted votes for IDNO/OTSO Parties or where less than 5 Parties vote in any other category.</p> <p>Clause 12.10 sets out the mechanism for calculating the weighted votes in all other circumstances.</p> <p>Clause 12.10 states that it is 'subject to' Clause 12.9 but it is not clear from the legal drafting how it is</p>	

meant to interact with that previous clause.

The CP seeks to make it apparent in plain English that Clause 12.10 will apply in all circumstances other than those set out in Clause 12.9

Business Justification & Market Benefits

The Change will ensure parties fully understand the agreement and the mechanism for calculating the weighted votes of Parties.

Proposed Implementation Date

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

November 2010

Proposed Solution

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

Please see change proposal intent – legal advice to be sought on best drafting solution.

DCUSA Objectives

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

It is considered that the Change Proposal will better facilitate DCUSA Objective 3.1.4¹. The change will ensure that parties are able to have a more effective understanding of the agreement as it will remove any uncertainty in the voting mechanism

DCUSA Objectives for Change Proposals to Charging Methodologies only

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

n/a

Environmental Impact

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

n/a

¹ The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it