

Legal drafting for removal of veto in respect of CDCM/EDCM changes

Clause 13.10

13.10 In respect only of a Change Proposal to vary one or more of the Charging Methodologies that is subject to paragraph 18 of Condition 22A of the Distribution Licences, the text of the proposed variation and the proposed implementation date (in each case as set out in the Change Report submitted to the Voting Procedure) shall (notwithstanding the deemed recommendation of the Parties) be accepted for the purposes of this Clause 13 unless, within 28 days (interpreted in accordance with Condition 2 of the Distribution Licences) of receiving notice from the Secretariat under Clause 13.8, and having had regard to the matters set out at Clauses 13.9.1 and 13.9.2, the Authority has either:

13.10.1 directed the DNO Parties that the Change Proposal is not to be accepted; or

13.10.2 notified the DNO Parties that the Authority intends to consult in relation to the proposal, and then within three months of giving that notification directed the DNO Parties that the Change Proposal is not to be accepted,

in which case the Change Proposal will be rejected for the purposes of this Clause 13.

Wragge & Co LLP (27 January 2011)