

Minutes

Meeting Name	DCP 054 Working Group	Meeting Number	020
Meeting Date	10 November 2011	Meeting Time	10:00
Venue	ElectraLink, 2-3 Golden Square, London, W1F 9HR		

Attendee	Company
Glenn Sheern [GS] (Chair)	E.ON UK
Andrew Wallace [AW]	Ofgem
Angela Mann [AM]	E.ON UK
Anne Jackson [AJ]	SSE Energy
Elizabeth Lawlor [EL] (Part Meeting)	ElectraLink Limited
Kevin Woollard [KW] (Webconference)	British Gas
Lynne Hargrave [LH]	Northern Power Grid
Mike Blake [MB]	UK Power Networks
Roger Parnell [RP]	EDF Energy
Sasha Pearce [SP]	NPower
Tony Savka [TS]	Electricity North West
Alex Burford [AB] (Secretary)	ElectraLink Limited

1. ADMINISTRATION

- 1.1 Apologies were received from Chris Harding (EDF Energy) and Jon Spence (ELEXON).

2. MINUTES MEETING 019

- 2.1 The minutes of the previous meeting were agreed following amendments to 4.4, 4.7 and 6.4 of the minutes to ensure clarity.

3. OUTSTANDING ACTIONS

- 3.1 An updated action log is attached as Appendix A.
- 3.2 Action 019/01: AW asked members to provide further information on this action. Members asked that Ofgem clarify the responsibilities of parties where Theft in Conveyance (as defined by DCP 080A) occurs e.g. who is responsible for arranging repairs to equipment / work on a site when theft

in conveyance has occurred, who should carry out the repairs and how should payment and funding arrangements be managed. GS agreed to discuss the matter in further detail offline with AW.

Action: AW & GS

- 3.3 AW noted that, as set out in its consultation "Tackling gas theft", Ofgem expects electricity Suppliers and DNOs to continue to develop robust proposals in order to create incentives to detect theft. The group noted that whilst this does not fall directly within the scope of DCP 054, there is merit in it being taken forward by the group. GS took an action to seek approval from the DCUSA Panel to allow DCP 054 Working Group to also consider incentive schemes.

Action: GS

- 3.4 Action 19/03: TS noted that as the proposer of DCP 054, ENWL is not minded not to amend the intent of the CP. The current intent includes a requirement find a mechanism to ensure that all missing units are placed into settlement. The group noted that the DCUSA cannot ensure that all units are placed into settlement as it sits outside the scope of the Agreement. The group will continue to develop a solution so that units are in a position to be entered into settlement and that only changes to the BSC will ensure that units are placed into settlement. Members noted the risk that Ofgem may reject the CP should the final submission not meet the stated intent of the CP. AW noted the issue.

4. REVIEW OF CODE OF PRACTICE

- 4.1 SP noted that the Revenue Protection Theft Code of Practice (CoP) has split it into separate electricity and gas documents following its development as a dual fuel document under the DCP 054 Subgroup. It was noted that the development of the gas CoP is being taken forward under SPAA. The next meetings of the theft CoP review group will convene on the 01 – 02 December 2011.
- 4.2 The Working Group agreed to take the following areas that the DCP 054 Subgroup had highlighted into consideration as part of its review of the CoP:
- Costs and charging arrangements;
 - Treatment of vulnerable customers;

- Clarity of right of entry;
 - Potential of sharing rights of access;
 - Format of the CoP;
 - Reporting requirements;
 - Safety inspections;
 - How the CoP will be implemented into the DCUSA change control;
 - Consultation questions; and
 - Inclusion of scenarios identified under the DCP 080 – 'Theft in conveyance' consultation.
- 4.3 The Working Group reviewed the Revenue Protection Theft of Electricity Code of Practice (CoP) and agreed that the CoP should be split into best practice and DCUSA obligations. In addition it should reference or 'sign post' to existing legal requirements such as a licence conditions. This will ensure clarity to the readers of the CoP and help future proof the document.
- 4.4 During its review the group agreed that the CoP should reflect who has responsibility for physical and non physical works throughout the document.
- 4.5 The group discussed DNO responsibilities for unregistered sites and agreed to update the CoP to reflect to following definitions:
- 'Unregistered Site' means there is an MPAN on the site and a Supplier has never been appointed.
 - 'Illegal Connection' means there is no MPAN on the site and no appointed Supplier.
- 4.6 It was noted that Ofgem wish to quantify the number of unregistered sites to determine the scale of the issue. DNO members took an action to send AW the number of instances they have encountered sites where there is an MPAN on the site and a Supplier has never been appointed.
- Action:** DNO Members
- 4.7 The group discussed the reports section of the CoP and agreed that the D0236 does not have the relevant information required by Suppliers. Members therefore agreed a preference for a monthly report detailing the number of MPANs that have been raised and the total number of units missing as a result of theft. The group agreed to update that a CoP to

include a requirement for DNOs to issue a report to Suppliers providing the following information:

- MPAN;
- kWh; and
- Theft period.

4.8 The group also reviewed the policy statements section of the CoP. It was noted that, unlike in gas, electricity Suppliers are not obliged by licence to have an RP Service in place. Instead there is a condition that theft must be investigated by the Supplier. In practice many Suppliers outsource this obligation to the DNO or a RP Service provider.

4.9 The CoP will detail the procedure DNOs and RP Service Providers must follow to investigate theft. Members considered the risk that if the procedure is not followed, or incorrectly followed by a DNO or Service Provider, Suppliers could be in breach of a licence condition to investigate theft. In such a case Ofgem may impose a fine. The group agreed there should be an indemnity clause added to the DCUSA to mitigate this risk.

4.10 It was noted that where there is no existing agreement in place for the provision of RP services between Parties, the DCUSA could include a standard bilateral contract which would set out each parties' responsibilities.

4.11 The following sections were also reviewed and members of the group took actions to review and update them:

- Complete the drafting for physical and non physical works section for 'Theft in Conveyance'(TS);
- Define the physical and non physical works section for 'Theft from a Distributors Network and/or equipment that is not Theft in Conveyance', following feedback from Ofgem (GS);
- Expand the physical and non physical section for 'Theft of electricity from equipment that the supplier is responsible for' (AM);
- Complete the physical and non physical section for 'Theft of electricity from a neighbouring property by way of abstraction from above the cut-out but below the meter' (AJ);

- Complete the physical and non physical section for 'Theft of electricity from another consumer's equipment' (SP);
- Review the Responsibility and Ownership diagrams and expand the general obligations text (MB);
- Provide further examples of reasons for an emergency disconnection as set out in the 'Provision of Information to the registered Supplier(s) by the DNO', section and suggest mechanisms for notification to the relevant Supplier by the DNO (TS, MB and LH); and
- Confirm Ofgem's position on the report section of the CoP (AW).

4.12 AB took an action to update the CoP as per Working Group instructions and circulate for review.

Action: AB

5. NEXT STEPS

5.1 The Working Group members agreed to complete their actions by the 28 November and send to KW, who will split the CoP into best practice and DCUSA obligations and add references to existing legal requirements.

Action: KW

6. ANY OTHER BUSINESS

6.1 There were no other items of business.

7. DATE OF NEXT MEETING

7.1 The next meeting of the Working Group will take place on the 19 December 2011 at ElectraLink.

APPENDIX A – ACTIONS**OPEN ACTIONS**

No.	Action / Update	On	Due
005/02	Speak with the Information Commissioner's Office (ICO) to understand the potential for / impact of having a flag placed in Data Collector's systems to highlight theft. Ongoing AM is awaiting response from ICO.	AM	28/11/11
020/01	Discuss the issue of clarification of DCP 080A – Theft in Conveyance, outside of the meeting.	AW and GS	28/11/11
020/02	Seek permission from the DCUSA Panel to allow DCP 054 Working Group to also consider incentive schemes.	GS	28/11/11
020/03	<ul style="list-style-type: none"> Complete the drafting for physical and non physical works section for 'Theft in Conveyance'(TS); Define the physical and non physical works section for 'Theft from a Distributors Network and/or equipment that is not Theft in Conveyance', following feedback from Ofgem (GS); Expand the physical and non physical section for 'Theft of electricity from equipment that the supplier is responsible for' (AM); 		28/11/11

	<ul style="list-style-type: none"> • Complete the physical and non physical section for 'Theft of electricity from a neighbouring property by way of abstraction from above the cut-out but below the meter' (AJ); • Complete the physical and non physical section for 'Theft of electricity from another consumer's equipment' (SP); • Review the Responsibility and Ownership diagrams and expand the general obligations text (MB); • Provide further examples of reasons for an emergency disconnection as set out in the 'Provision of Information to the registered Supplier(s) by the DNO', section and suggest mechanisms for notification to the relevant Supplier by the DNO (TS, MB and LH); and • Confirm Ofgem's position on the report section of the CoP (AW). 		
020/04	Update the CoP as per Working Group instructions and circulate for review.	ElectraLink	28/11/11
020/05	Following Working Group review split the into best practice and DCUSA obligations and add references to existing legal requirements.	KW	19/12/11

CLOSED ACTIONS – at this meeting

No.	Action / Update	On	Due
019/01	Speak with AW and determine Ofgem's interpretation of DCP 080A. Complete, see minute item 3.2	GS	03/11/11
019/02	Take electricity out of the CoP and circulate to the Working Group for review at its next meeting. Complete	SP	03/11/11
019/03	Review the original intent of DCP 054 and determine if it can be amended following group discussions. Complete, see minute item 3.4	TS	03/11/11