

# Minutes

<b>Meeting Name</b>	DCP 054 Working Group	<b>Meeting Number</b>	032
<b>Meeting Date</b>	21 December 2012	<b>Meeting Time</b>	09:00am
<b>Venue</b>	Web - Conference		

<b>Attendee</b>	<b>Company</b>
Glen Sheern [GS] (Chair)	E.ON UK
Anne Jackson [AJ]	SSE Energy Supply
Chris Harding [CH]	EDF Energy
Richard Vernon [RV]	Npower
Roger Parnell [RP]	EDF Energy
Tony Savka [TS]	Electricity North West
Claire Hynes [CLH] (Secretary)	ElectraLink Limited

## 1. ADMINISTRATION

- 1.1 Apologies were received from Lynne Hargrave (Northern Powergrid), Lynne Fallon (British Gas), Jonathan Purdy (UK Power Networks) and Ian Main (Scottish Power).

## 2. MINUTES MEETING 031

- 2.1 The minutes of the previous meeting were agreed without amendment.

## 3. OUTSTANDING ACTIONS

- 3.1 The Working Group reviewed the actions from the previous meeting.
- 3.2 A summary of new and outstanding actions is attached as Appendix A.

## 4. THEFT OF ELECTRICITY CODE OF PRACTICE (CoP)

- 4.1 The Working Group completed the review of the Theft of Electricity Code of Practice (CoP) Consultation responses.
- 4.2 The Working Group discussed the responses to Question 11 '*How long should physical evidence be retained by the RPS?*'. The Working Group agreed that the physical meter is retained for 6 months after notifying the police. However, they required further information in regards to the set period of

time under which new evidence can come to light for an appeal of the decision. This may impact on the length of time the physical meter/evidence may need to be retained. GS agreed to confer with Angela Mann on the appeals process.

**Action:** GS

- 4.3 The Working Group agreed that the retention of the physical meter / evidence could not be mandated and to add a best practice section to state that it is to be treated on a case by case basis. AJ advised that one would make the decision based on the likelihood of appeal. If the case was lost, you wouldn't keep the evidence and you need to remain aware that you may need to produce that evidence. AJ took an action to draft the best practice section.

**Action:** AJ

- 4.4 The Working Group agreed the CoP should contain a requirement to issue a monthly report on theft and conveyance issues to ensure the details were easier to collate. The Working Group decided to raise the question '*Should DNOs be sharing the data with the Suppliers?*' with the Information Commissioner (ICO). ElectraLink took an action to add the query to the Working Group agenda for the meeting with the ICO on the 18 January 2013.

**Action:** ElectraLink

- 4.5 GS confirmed that Ofgem chose the definition of '*premise*' to act as a boundary for whether a DNO or Supplier is responsible for the theft of electricity. The wording is around the curtaining / legal boundary of the property. If inside the curtaining the supplier is liable for it, if outside the DNO is liable for it. This discussion raised the question for the ICO '*If the DNO finds there is a beneficiary from theft and conveyance outside of the property boundary, can they advise the Supplier responsible for usage within the property boundary that there is a risk of the benefactor stealing from them*'. ElectraLink took an action to add the query to the Working Group agenda for the meeting with the ICO on the 18 January 2013.

**Action:** ElectraLink

## **5. NEXT STEPS**

- 5.1 The Working Group agreed to meet with SPAA representatives and the ICO to discuss the updated PIA at a meeting on the 18th of January. A further meeting will then be arranged with the DCUSA legal advisor.
- 5.2 The Working Group agreed a second meeting date of the 29 January 2013 to discuss the outcome and any actions of the joint DCP 054 and SPAA Working Group meeting with the ICO.

## **6. ANY OTHER BUSINESS**

- 6.1 There were no other items of business raised at the meeting.

## **7 DATE OF NEXT MEETING**

- 7.1 The Working Group agreed to meet again

- At 10am on 18 January 2013 to discuss questions to raise to the ICO
- At 12pm on 18 January 2013 for a joint meeting with the SPAA Working Group and
- At 1pm on 18 January 2013 the ICO will join the meeting

at the Institute of Physics, 76 Portland Place, London, W1B 1NT to review both codes of practice from a data privacy perspective.

## APPENDIX A – ACTIONS

### OPEN ACTIONS

No.	Action / Update	On	Due
026/01	Ask the DCUSA Panel if it believed that the ESQCRs should be changed to allow a competent person to de-energise on behalf of a distributor, where the customer's installation is unsafe. Ongoing the group noted that this action was discussed at the DCUSA Panel. The action is around the Panel sponsoring a note to the HSE or to seek legal advice asking for clarity on whether a Supplier can disconnect on grounds of safety. Approved by Panel to seek legal advice, AW to confirm with GS what legal advice should be sought. <i>Ongoing, Awaiting confirmation of legal advice required.</i>	GS	11/07/12
030/03	Each member of the working group will complete the required sections in the PIA DCUSA document. <i>The Working Group agreed to identify the areas of the PIA under which shared information is required when they meet with the ICO before progressing this action.</i>	Working Group	
031/05	Refine the 6.1 Provision of Information from DNOs to Suppliers reference box in the CoP. <i>Ongoing.</i>	LF	
031/09	Check whether the reference to Consumer or Customer was appropriate in each instance in the CoP. <i>Ongoing.</i>	JP	
031/10	Review the reference and obligations of no. 11 and use information straight from the licence. <i>Ongoing.</i>	GS & AM	
032/01	Check the set length of time under which new evidence may come to light to allow for a decision to be appealed. This may impact on how long a meter may need to be retained as evidence.	GS & AM	
032/02	Draft a Best Practice section on the retention of a physical meter for evidence purposes.	AJ	
032/03	The CoP will contain a requirement to issue a monthly report on Theft and Conveyance issues. The question to be added to the agenda for the meeting with the ICO is ' <i>Should DNOs be sharing the data with the Suppliers?</i> '.	ElectraLink	
032/04	<i>If the DNO finds there is a beneficiary from theft and conveyance outside of the property boundary, can they advise the Supplier responsible for usage within the property boundary</i>	ElectraLink	

	<i>that there is a risk of the benefactor stealing from them'</i> . This question is to be added to the Agenda for the meeting with the ICO.		
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### CLOSED ACTIONS – at this meeting

No.	Action / Update	On	Due
030/02	The working group request for the SPAA working group to create a joint SPAA/DCUSA web group and invite the ICO and Wragg & Co. to attend the next meeting on the 7 <sup>th</sup> of December. <a href="#">A meeting is arranged for the 18<sup>th</sup> of January 2013.</a>	Electralink	21.12.2012
031/01	Request clarity on the UKRPA response of ' <i>the consultation refers to documents being 'relevant' to a Party's action – however it is unclear how this relevance will be determined, or in fact who will be responsible for defining relevance</i> '. This item is to be provided to the DCP054 Working Group for further discussion at the next meeting on the 21 December 2012.	ElectraLink	21.12.2012
031/02	Review the formatting of the CoP of practice to ensure consistency and to add ' <i>visit</i> ' as a defined term.	ElectraLink	21.12.2012
031/03	The Working Group agreed to use the gas code of practice Vulnerable Customer definition in the electricity CoP. ElectraLink took an action to update the CoP.	ElectraLink	21.12.2012
031/04	Send the link to gas licence definition for the Vulnerable Customer consultation from March 2012 to the Working Group. <a href="http://www.ofgem.gov.uk/Sustainability/SocAction/Documents1/Proposals%20for%20a%20new%20Consumer%20Vulnerability%20Strategy.pdf">http://www.ofgem.gov.uk/Sustainability/SocAction/Documents1/Proposals%20for%20a%20new%20Consumer%20Vulnerability%20Strategy.pdf</a>	LF	21.12.2012
031/06	Check the SFRC are notified for electricity safety reasons. <a href="#">They all go to the 24hr emergency line.</a>	GS	21.12.2012
031/07	Review the wording used in the interpreting this document section of the gas code of practice. ' <a href="#">Please note that not all sections of this CoP will include Obligations, References, and Best Practices.</a> '	RV	21.12.2012
031/11	Locate the Ofgem consultation on debt. <a href="http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=70&amp;refer=Markets/RetMkts/Compl/Theft">http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=70&amp;refer=Markets/RetMkts/Compl/Theft</a>	RV	21.12.2012