

**DCP 343 – Use of a nominated calculation agent for the calculation of the LV mains split**

**Draft Legal Text**

**Amend Clause 42.12 as follows:**

42.12 The User shall (if it is an IDNO Party or a DNO Party operating outside its Distribution Services Area) provide to the Nominated Calculation Agent such data concerning each of the User's Systems as may reasonably be requested in order that the Nominated Calculation Agent can calculate the "HV split" ~~and/or the "LV mains split"~~ (as ~~each such expression is~~ defined in Schedule 29). The User shall provide such data ~~during~~ identifying the position at the end of March each year, by no later than the end of October each year, and shall provide such data in such reasonable format as the Nominated Calculation Agent may request.

**Insert a new Clause 42.12A of the DCUSA as follows:**

42.12A The User shall (if it is an IDNO Party or a DNO Party operating outside its Distribution Services Area) provide to each DNO Party such data as may reasonably be requested in order to enable calculation of the "LV mains split" (as defined in Schedule 29). The User shall provide such data identifying the position at the end of March each year, by no later than the end of September each year, and shall provide such data in such reasonable format as the DNO Parties may collectively request.

**Amend Clause 42.13 as follows:**

42.13 The Company shall (if it is a DNO Party):

42.13.1 procure that the Nominated Calculation Agent is appointed on terms that require the Nominated Calculation Agent to keep the information disclosed to it pursuant to Clause 42.12 and this Clause 42.13 confidential, and to not use such information for any purpose other than calculation of the "HV split" ~~and/or the "LV mains split"~~ (as ~~each such expression is~~ defined in Schedule 29); and

42.13.2 provide to the Nominated Calculation Agent such data concerning each of the Company's Systems as may reasonably be requested in order that the Nominated Calculation Agent can calculate the "HV split" ~~and/or the "LV mains split"~~ (as ~~each such expression is~~ defined in Schedule 29). The Company shall provide such data identifying the position at the end of March each year, during by no later than the end of October each year, and shall provide such data in such reasonable format as the Nominated Calculation Agent may request.

**Amend Paragraph 33 of Schedule 29 as follows:**

33. The DNO Party ~~shall will procure that the Nominated Calculation Agent~~ estimates ~~for the DNO Party's Distribution Services Area~~ the proportion of ~~theirs~~ LV mains which LV-connected embedded networks are deemed to use ~~by~~ in accordance with the following calculation:

([Length of LV Mains used by LV-Connected Embedded Networks] / [Number of end users on LV-Connected Embedded Networks]) / ([Length of DNO LV Mains] / [Number of LV-Connected DNO end users]).

Where:

*Length of LV Mains used by LV-Connected Embedded Networks* will be calculated by the DNO Party as at the end of the most recently completed regulatory year.

*Number of end users on LV-Connected Embedded Networks* will be provided by LDNOs in accordance with Clause 42.12A. Where such data is not provided by an LDNO by the deadline stipulated in that Clause 42.12A, the DNO Party will determine the number of customers for that LDNO based on Settlement data at the end of the most recently completed regulatory year, using the portfolio billing data provided under paragraphs 2 and 3 of Schedule 19.

*Length of DNO LV Mains* will be based on network data submitted in the most recent Regulatory Reporting Pack (RRP).

*Number of LV-Connected DNO end users* will be calculated by the DNO Party as at the end of the most recently completed regulatory year.

- ~~a) determining the total length of its LV mains used by LV-connected embedded networks;~~
- ~~b) dividing that total length by the number of end users on LV-connected embedded networks; and~~
- ~~e) dividing the result by the average length of LV mains by LV end user on the DNO Party's own LV network.~~

**Amend paragraph 34 of Schedule 29 as follows:**

- 34. ~~The estimates will be based on available data provided by DNO Parties and IDNO Parties~~Not used.

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