
Meeting Name	DCUSA Panel
Meeting Date	20 August 2008
Paper Title	Initial Assessment Report – DCP 035
Purpose of Paper	For Decision
Synopsis	This paper presents a Change Proposal that has been submitted to the DCUSA Secretariat and requests agreement on its progression.

1 INTRODUCTION

- 1.1 This paper refers a DCUSA Change Proposal (DCP) to the DCUSA Panel for agreement on its progression.
- 1.2 The CP has been assessed by the Secretariat in accordance with Section 10.11 of the DCUSA. The CP has met the requirements and ElectraLink has prepared a recommendation for consideration by the Panel.

2 SUMMARY OF CHANGE PROPOSAL FOR CONSIDERATION

- 2.1 DCP 035 – ‘Distribution and Supply Licence Reviews – consequential changes’ is attached as Appendix A. The following table shows a summary of the CP:

Raising Party	EDF Energy Networks
CP Status	Standard
Parties Impacted	Distributors and Suppliers
Part 1 / Part 2 ¹	Part 1
Authority Consent	Required
Proposed Implementation	February 2009 Release

¹ As defined by the proposer.

3 DCP 035 – DISTRIBUTION AND SUPPLY LICENCE REVIEWS – CONSEQUENTIAL CHANGES

- 3.1 DCP 035 has been raised by EDF Energy Networks following a recommendation from the Panel that the DCUSA be reviewed in light of the Distribution and Supply Licence Reviews. The legal drafting has been provided by Wragge & Co proposes consequential changes to DCUSA arising from the Distribution and Supply Licence reviews.
- 3.2 EDF Energy Networks considers that the implementation of DCP 035 will ensure better facilitate Objectives 3² and 4³ of the DCUSA as set out in the Change Proposal.

4 PROGRESSION OF DCP 035

- 4.1 The Proposer has recommended that the CP be progressed as a Part 2 matter. Although the CP impacts Part 1 provisions in accordance with Clause 9.5 of the Agreement the Proposer considers that the CP is not itself a Part 1 matter on the basis that making the drafting amendments changes does not meet any of the relevant criteria set out in Clause 9.4. The Panel is therefore asked to consider whether the CP should be progressed as a Part 1 matter in accordance with Clause 9.4 or a Part 2 matter in accordance with Clause 9.6.
- 4.2 It is recommended that the CP should be progressed directly to the report phased as, in accordance with Clause 11.6.1 it is 'concerned solely with the technical drafting of the Agreement' and should not 'be the subject of significant controversy between the Parties'.
- 4.3 A proposed timetable for the progression of the proposal is outlined below:

Activity	Latest Date
Panel Meeting – IA agreed	20 August 2008
Panel Meeting – Change Report agreed	17 September 2008
Party Voting	22 September – 06 October
Change Declaration	07 October
Implementation	February 2009 Release

5 RECOMMENDATIONS

The DCUSA Panel is invited to:

- Consider whether to accept the referral of DCP 035;
- Consider whether the CP should be treated as a Part 1 or Part 2 matter;
- Agree that the CP should be progressed through the Definition Phase; and
- Agree the progression of the CP in accordance with the timetable set out in Section 4.3.

² The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences

³ The promotion of efficiency in the implementation and administration of this Agreement.

6 APPENDICES

- Appendix A – DCP 035
- Appendix B – DCP 035 Legal Drafting