

DCUSA Panel Open Session

Paper Title	DCUSA SIG Headline Report
Meeting Date	06 November 2014
Purpose of Paper	For Information
Synopsis	This report summarises the meeting headlines and key decisions taken at the DCUSA Standing Issues Group on 06 November 2014. Full minutes of that meeting are available at www.dcusa.co.uk .

1 INTRODUCTION

- 1.1 This report summarises the meeting headlines and key decisions taken at the most recent meeting of the DCUSA Standing Issues Group (SIG) on 06 November 2014 and recent updates on the issues outlined.

2 HOUSEKEEPING AMENDMENT NO. 65

- 2.1 The DCUSA SIG considered the feedback from the DCUSA Panel requesting that Housekeeping Amendment No. 65 which was referred to the DCUSA SIG be formally raised as a DCUSA Issue and the suggestion that a Request For Information (RFI) may need to be issued in order to identify a solution.
- 2.2 The DCUSA SIG chair raised DIF 043 which seeks to develop a solution to a gap in the Green Deal Arrangements legal drafting where a customer on an embedded metering point who has set up a Green Deal finance plan through their Supplier with a Green Deal Provider can be disconnected by a Private Network Operator (PNO). DNOs have an obligation to not disconnect an MPAN which is subject to a Green Deal under their Distribution Licence.
- 2.3 Members agreed to draft a Change Proposal (CP) with legal text which sets out clearly the boundaries of the licenced Distributors obligations and powers to not disconnect a Green Deal premises. A recommendation letter will be drafted and provided to the Department of Energy and Climate Change (DECC) as part of this modification to advise that as part of a housekeeping change for licenced networks it has come to their attention that non licenced networks with customers embedded on a private network may be disconnected by the DEH.
- 2.4 Members noted that DNO's were not in a position to place an obligation on a DEH and that DEHs would not necessarily be aware of which customers held a Green Deal. The DCP 124 Authority decision letter noted that the "DEH's main purpose is not to operate an electricity network and DEH's knowledge of industry arrangements can be limited". Members considered that Suppliers would be best placed to monitor where a Green Deal is assigned to an MPAN and that changes to the Supplier licence may be required by the DECC to resolve this issue. Members did not consider there was a suitable location under the current arrangements in DCUSA for this issue to be resolved.
- 2.5 The DCUSA SIG agreed to use the term Distribution Exemption Holders (DEHs) utilised in Authority decision letters such as DCP 124 as opposed to the terms PNOs in order to keep the terminology utilised common across the industry.
- 2.6 The DCUSA SIG discussed the requirement for the term DEHs to be more clearly defined within DCUSA. The following definition is under consideration in the DCUSA SIG:

Distribution Exemption Holder” or “DEH”

means a person who is an operator of an electricity distribution system intended for the conveyance of electricity to or from users connected to that electricity distribution system for which a specific exemption to hold a distribution licence pursuant to the Act has been granted to that operator or the operator is entitled to not hold a distribution licence consequent to a class exemption from the holding of a distribution licence also issued pursuant to the s5 of the Act as amended.

- 2.7 Following the conclusion of the DCUSA SIG meeting, one member advised the secretariat and DCUSA SIG chair by e-mail that DIF 043 should be placed on-hold as a drafting error in the current standard electricity Distribution Licence Conditions’ definition of Green Deal Premises on which the DCUSA cross reference relies has been identified. This member advised that *“Ofgem included a second definition for Green Deal Provider against the term Green Deal Premises, making the term Green Deal Premises a complete nonsense”*.

Electricity Distribution Standard Licence Conditions	Green Deal Premises Definition	means a person who is authorised to act as a Green Deal Provider.
DCUSA	Green Deal Premises Definition	Has the meaning given to that term in the Distribution Licences.
Electricity Distribution Standard Licence Conditions	Green Deal Provider Definition	Has the meaning given to “green deal provider in section 2(2) of the Energy Act 2011.
Energy Act 2011	Green Deal Provider Definition	The occupier or owner who makes the arrangement referred to in section 1(2) is the “improver” and the person who makes the improvements is the “green deal provider”.

Electricity Distribution Standard Licence Condition SLC 12.9A

Where the *licensee has made a connection to premises* under section 16(1)(a) of the Act or under Standard Condition 15 (Standards for the provision of Non-Contestable Connection Services) and such premises become and remain Green Deal Premises, it may not disconnect those Green Deal Premises unless it is permitted to do so under the Electricity Safety, Quality and Continuity Regulations 2002 (as amended), Schedule 6 to the Act or any other legislation.”

- 2.8 The DCUSA SIG has informally notified Lesley Ferrando of Ofgem of the legal drafting error.

3 DIF 041 REQUEST FOR INFORMATION (RFI)

- 3.1 Members considered the responses to the DIF 041 Request For Information (RFI). DIF 041 highlights court case (RMISSE¹) the elevated risk in relation to the DNO replacement of the service cut out where the meter terminals are disturbed despite best endeavours. This has led to a concern over liability due to acts or omissions which might lead to an increased fire risk at the service termination / metering position.
- 3.2 The proposer agreed to draft a CP based on Option 1 which respondents indicated a clear preference for when answering the RFI.

Option 1

DNOs to be consented through a DCUSA Change Proposal to work upon metering systems consequent to modification/replacement of the DNO service equipment, to retighten metering terminals and/or remake meter tail or customer tails, as appropriate, to ensure the safety of the supply equipment. This option would necessitate the provision of Smart Meter software keys to the DNOs to temporarily disable tampering alerts and potentially special screw drivers for certain meter types. This option would ensure that terminals were retightened prior to re-energising the supply and would present the very lowest risk possible with minimum co-ordination.

- 3.3 The DCUSA SIG discussed the comments from Suppliers that suggested that there is no requirement for a Smart Metering Software keys that form part of the SMETS specification for compliant smart metering. As the CP will be raised to cover a safety matter, members agreed that the change should not be complicated by unnecessary additional discussions on the provision of meter configuration details/ meter security information.

4 DIF 044 'TIMESCALES FOR RESPONDING TO REQUESTS TO INCREASE COVER'

- 4.1 DCUSA Issue 044 'Timescales For Responding To Requests To Increase Cover' was raised by npower to consider proposing a change to the increase and decrease of credit cover levels for the summer and winter periods. This would result in a cost saving and ultimately in lower bills for customers if there is a lower credit cover level over the summer when there is less electricity usage.
- 4.2 The proposer clarified that the intent was not to manage the credit cover level dynamically but to have one credit cover for the winter period and one for the summer period. The DCUSA SIG suggested that the proposer should take in to consideration the 45 days notification period to change the credit cover level and that different types of credit cover can be put in place such as a letter of payment guarantee/credit, or cash or the possibility of requiring zero cover due to a good payment history when drafting the CP.
- 4.3 The DCUSA SIG agreed to add DIF 044 to the next meeting agenda in order to continue discussions.

5 RECOMMENDATION

¹ The High Court decision dated 17th September 2012 on Case Nos: HT-10-95, HT-10-210, HT-10-??, HT-10-427 and HT-11-163 in respect of "Repair, Installation, Maintenance and Inspection of Supply Side Equipment", Neutral Citation Number: [2012] EWHC 2541 (TCC)

5.1 The Panel is invited to:

- NOTE the report.