DCP 021 – Distribution Standard Licence Condition 4a review (DCP009) affecting Section 2B

SECTION 1A - PRELIMINARY

DEFINITIONS AND INTERPRETATION

Charges	Means, in respect of Section 2A, those charges referred to in Clause 19.2, and, in respect of Section 2B, those charges referred to in Clause 43.2 (and in each case, for the avoidance of doubt, includes both Use of System Charges and Transactional Charges).
Use of System Charges	has, in respect of Section 2A, the meaning given to that term in Clause 19.2.1, and, in respect of Section 2B, the meaning given to that term in Clause 43.2.1.

9.5.3 Clauses 38 (Bilateral Connection Agreements), 39 (The User's Right to be Connected and Energised), 40.1 (Provision of Use of Distribution System), 41 (Energisation, De-Energisation and Re-Energisation), 42 (Provision of Data and Metering Equipment), 43.1 and 43.2 (~~Use of System~~ Charges), 47 (Security Cover), 48 (Compliance with Codes), 49 (Guaranteed Performance Standards) and 52 (Modifications);

SECTION 2A – DISTRIBUTOR TO SUPPLIER/GENERATOR RELATIONSHIPS

Charges

19.1 The User shall pay to the Company in respect of services provided under Section 2A of this Agreement (and under the agreements referred to in Clause 19.2) the charges set out in the Relevant Charging Statement. The Company may vary such charges at any time by giving the requisite period of written notice to the User (where the requisite period of notice is the period specified in the Company's Relevant Charging Statement or, where no such period is specified, 40 days). The Company shall use reasonable endeavours to vary such charges no more than two times per year, such variations to apply from 1st April or 1st October. Such charges and any variations are and will be calculated in accordance with the provisions of the Relevant Charging Statement.

36.4.3 ~~Use of System~~ Charges are references to the ~~Use of System~~ Charges payable by the User to the Company in relation to Connection Points on ~~for use of~~ the Company's Distribution System.

……

43. CHARGES

~~**Use of System**~~ **Charges**

43.1 The User shall pay to the Company in respect of services provided under Section 2B of this Agreement (and under the agreements referred to in Clause 43.2) the charges set out in ~~(**Use of System Charges**) for use of the Company's Distribution System. Such charges shall be calculated in accordance with~~ the Company's Relevant Charging Statement and, where appropriate, the provisions of the relevant Bilateral Connection Agreement.

~~43.2~~ The Company may vary such charges at any time by giving the requisite period of written notice to the User (where the requisite period of notice is the period specified in the Company's Relevant Charging Statement or, where no such period is specified, 40 days). The Company shall use reasonable endeavours to vary such charges no more than two times per year, such variations to apply from 1st April or 1st October. Such charges and any variations are and will be calculated in accordance with the provisions of the Relevant Charging Statement.

43.2 The charges referred to in Clause 43.1 (the **Charges**) shall be**:**

43.2.1 the charges contained or referred to in the Company's Relevant Charging Statement for the time being in force pursuant to Condition 4A of its Distribution Licence (**Use of System Charges**); and

43.2.2 the charges for any other services provided by the Company to the User pursuant to:

(A) a provision of this Section 2B; or

(B) any other agreement between the Company and the User for the provision of such services which provides for payment pursuant to this Agreement.

Adjustment of Charges

43.3 On any occasion upon which the ~~charges~~ Charges payable by the User under Clause 43.1 have not been calculated strictly in accordance with the provisions of the Relevant Charging Statement, an appropriate adjustment shall be made by the Company and submitted to the User.

……

43.9 Without prejudice to Clause 43.1, where the Company is intending to revise any of its Use of System Charges ~~(including the Transactional Charges)~~, it shall serve a copy of any notice it sends to the Authority pursuant to paragraph 5 of Condition 4A of its Distribution Licence on the User as soon as is reasonably practicable after such notice is sent to the Authority.

44.1 This Clause 44 applies in respect of those services ~~Use of System Charges~~ falling within the scope of Clause 43.1 for which the charges to be levied relate to Connection Points that fall within Clause 43.6~~that are not Transactional Charges~~.