

DCUSA CONSULTATION DOCUMENT	
CHANGE PROPOSAL	DCP 023 - The Creation of a DCUSA Issues Resolution Working Group
DATE OF ISSUE	28 July 2008
ISSUED TO	DCUSA Contract Managers
RETURN DEADLINE	18 August 2008

1 BACKGROUND

- 1.1 DCP 023 was raised by E.ON UK on 12 May 2008 and was considered by the DCUSA Panel at its meeting on 21 May 2008. The Panel determined that the CP was a non-urgent Part Two change that should be progressed through the Definition Procedure.
- 1.2 The DCUSA Panel established a Working Group to consider the Change Proposal. The Working Group met on 04 July 2008 to assess the CP and evaluate it against the DCUSA Objectives. The Working Group was supportive of the principle of the CP noting that similar groups exist under other codes and provide a useful forum for the discussion of issues by all parties on a regular basis. Members agreed that the principle of DCP 023 was valid and recommended that the CP should be issued to all Parties for Consultation.

2 DCP 023 - THE CREATION OF A DCUSA ISSUES RESOLUTION WORKING GROUP

- 2.1 DCP 023 was raised by E.ON UK following discussions at the DCUSA Panel. In accordance with Clause 7.24 of the DCUSA, the Panel can establish Working Groups "for the purposes of doing, or assisting the Panel in doing, anything to be done by the Panel pursuant to this Agreement".
- 2.2 DCP 023 seeks to formalise the creation of an issues working group within a new Schedule of the DCUSA. The purpose of the DCUSA Issues Group (DIG) will be to consider and discuss issues and make recommendations to the DCUSA Panel and Parties regarding the DCUSA document.

SCOPE OF THE DCUSA ISSUES GROUP

- 2.3 The DIG would discuss issues and potential changes up until the point that a formal CP was raised. The DIG would be responsible for discussing issues and making recommendations to parties on the progression of such issues but would not be able to raise CPs or prevent Parties from submitting a CP to Change Process.

MEMBERSHIP AND MEETING FREQUENCY

- 2.4 The DIG would be open to all DCUSA Parties as well as other industry participants as determined by the Chair. Members would participate as technical experts. The Chair would be appointed on an annual basis by group members. Parties would be responsible for managing their own

attendance at meetings. The frequency of meetings would be determined by the Chair but that it is envisaged that the group would meet on a monthly basis where there is sufficient business to warrant a meeting.

DECISION MAKING

- 2.5 The DIG would make recommendations for solutions to issues and seek to establish whether there is a valid requirement for a CP. The recommendations may include, but are not limited to, changes to the DCUSA document and best practice guidance to Parties. Recommendations would be agreed by majority consensus of participants. The DIG would not be able to raise CPs or prevent Parties from submitting a CP to Change Process.

REPORTING MECHANISM

- 2.6 The DIG would report directly to the Panel and the Panel would be able to direct issues to the DIG for consideration. Following each DIG meeting a summary report would be submitted to the Panel by the meeting secretary and the Panel would monitor the work plan of the DIG.

3 PROPOSED LEGAL DRAFTING

- 3.1 The proposed legal drafting is set out in Appendix B. In accordance with the drafting, it is proposed that Clause 7.26 of the DCUSA would be amended to formally establish the DIG. Schedule 14 (a revised amalgamation of Appendix A and B of original CP) would be introduced to set out the scope, terms of reference and procedures for the DIG.

4 REVIEW OF DCUSA OBJECTIVES

- 4.1 The Working Group considers that DCP 23 will result in the following efficiencies and process improvements which will better facilitate DCUSA Objectives 4¹:
- The opportunity to discuss issues before a CP is raised preventing 'spurious', poorly drafted or incomplete changes from being raised;
 - A reduction in the number of Working Group meetings, the time taken to develop CPs and a reduction in the length of the change process cycle;
 - The ability for Parties to consider issues outside the change route and develop best practice models, discuss interpretation issues etc.
 - The ability for Parties to consider a number of issues at one meeting and a reduction in the administrative burden and resource benefits, in particular for smaller parties.

5 CONSULTATION

- 5.1 In accordance with the DCUSA, any CP progressed through the Definition Process may be issued to DCUSA Parties as part of a consultation exercise.

¹ The promotion of efficiency in the implementation and administration of the DCUSA Agreement

The Working Group has recommended that DCP 023 is put forward for consultation.

- 5.2 Parties are asked to review the proposed CP and provide feedback, paying particular attention to the following:
- Indicate whether you believe that the proposed variation better facilitates the DCUSA Objectives.
 - Provide support for your comments and views by suitable reasons, evidence and explanations, where possible.
 - Identify any other relevant, suitable alternative solutions for consideration by the Working Group that would better facilitate the DCUSA Objectives.
 - Indicate if you expect to incur any costs to support the CP.
 - Indicate whether you support the proposed implementation date of 06 November 2008.
 - Give views on the proposed make up and membership of the meeting.
 - Give views as to whether you consider that the drafting set out as Schedule XX and the DCUSA Issues Form should be maintained as part of the DCUSA or maintained outside of the Agreement by the Panel.
 - Note that comments will inform the working group and Panel's decision about which alternate(s) to put forward for voting.
- 5.3 Your response, or any part thereof, can be provided in confidence. Please clearly indicate which parts of your response are to be treated confidentially.
- 5.4 You are asked to provide as much relevant detail in your response as possible to enable the DCUSA Panel to understand your comments and the reasons behind them. A response form has been included in Appendix C for your convenience.

6 NEXT STEPS

- 6.1 Following the end of the consultation period the working group will consider all responses and present a final report to the DCUSA Panel. The DCUSA Panel will determine which variation(s) will be put forward to the vote.

7 TIMESCALES

- 7.1 The Working Group has determined that the consultation period should be 15 Working Days. Parties are invited to submit responses to DCUSA@electralink.co.uk no later than 18 August 2008.
- 7.2 If you have any questions about this paper or the DCUSA Change Process please contact the DCUSA Help Desk by email to DCUSA@electralink.co.uk or telephone 020 7432 3017.

8 APPENDICES

- Appendix A – DCP 023
- Appendix B – DCP 023 – DCUSA Drafting
- Appendix C – Consultation Response Form