



DCUSA Change Report

DCP 122 - EU 3rd PACKAGE HOUSEKEEPING AMENDMENTS

1 PURPOSE

- 1.1 This document is issued in accordance with Clause 11.20 of the DCUSA and details DCP 122 – EU 3rd Package Housekeeping Amendments. The voting process for the proposed variation and the timetable of the progression of the Change Proposal (CP) through the DCUSA Change Control Process is set out in this document.
- 1.2 Parties are invited to consider the proposed amendments (Appendix A) and submit their votes using the form attached as Appendix B to dcusa@electralink.co.uk by 12 April 2012.

2 SUMMARY

- 2.1 DCP 122 has been raised by Northern Powergrid and seeks to make a number of housekeeping amendments to the DCUSA following a recommendation from the Authority on DCP 110 - Electricity and Gas (Internal Markets) Regulations 2011.
- 2.2 DCP 110 was approved by the Authority and will be implemented to the DCUSA on 23 February 2012. Ofgem indicated in its decision letter for DCP 110 that the following housekeeping changes should be incorporated following its implementation:
- The addition of a clause in Section 10 to state that the Panel is obliged to accept a change proposal submitted pursuant to clause 10.2.5;
 - The addition of a clause stating that the Panel must “comply” with any directions issued by the Authority by setting and/or amending a timetable pursuant to 10.2.5; and
 - Typographical amendments.

3 PROPOSED LEGAL DRAFTING

- 3.1 The proposed legal drafting for DCP 122 has been drafted by Wragge and Co and is attached as Appendix A.
- 3.2 The legal drafting will:
- Add an additional clause in Section 10 to state that the Panel is obliged to accept a change proposal submitted pursuant to clause 10.2.5.
 - Add an additional clause to state that the panel must “comply” with any directions issued by the Authority in setting and/or amending a timetable pursuant to 10.2.5

- Address the identified typographical amendments.

4 EVALUATION AGAINST THE DCUSA OBJECTIVES

4.1 DCP 122 has been assessed against the DCUSA General Objectives:

- Objective 1¹ – No Impact.
- Objective 2² – No Impact.
- Objective 3³ – No Impact.
- Objective 4⁴ – Better Facilitated. The CP will ensure that the DCUSA is consistent with the Authority's expectations of the Agreement with regards to accepting CPs and setting CP process timetables. The CP will also promote the efficiency in the implementation and administration of the agreement through correction of identified typographical errors.
- Objective 5⁵ – No Impact

5 IMPLEMENTATION

5.1 This CP is classified as a Part 2 matter in accordance with Clause 9.6 of the DCUSA. The CP is a housekeeping change and does not seek to make any material changes to the agreement.

5.2 The CP will be implemented 3 Working Days following Party Approval.

6 PANEL RECOMMENDATION

6.1 The Panel approved this Change Report at its meeting on 21 March 2012.

6.2 The timetable for the progression of the Change Proposals is set out below:

Activity	Target Date
Change Report Agreed	27 March 2012

¹ The development, maintenance and operation by each of the DNO Parties and IDNO Parties of an efficient, co-ordinated, and economical Distribution System

² The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity

³ The efficient discharge by each of the DNO Parties and IDNO Parties of the obligations imposed upon them by their Distribution Licences.

⁴ The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it.

⁵ Compliance with the Regulation on Cross-Border Exchange in Electricity and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.

Party Voting Ends	12 April 2012
Change Declaration Issued	16 April 2012
Implementation	3 Working Days following approval

7 APPENDICES:

Appendix A – DCP 122 - Legal Drafting

Appendix B – Voting Form