

Legal Text – Replacing DG Party with CVA Registrant

The following changes to the legal text are suggested:

INTRODUCTION

(D) The ~~DG Parties~~CVA Registrants are under certain obligations, under other industry agreements, regarding distribution use of system arrangements, and have agreed to accede to this Agreement in order to meet those obligations.

DEFINITIONS AND INTERPRETATION – Section 1A

Remove definition

~~DG Party~~ means a Party that:

- ~~(a) holds a Generation Licence; or~~
 - ~~(b) is engaged in the generation of electricity and is exempt from the requirement to hold a Generation Licence pursuant to Section 5 of the Act;~~
 - ~~and:~~
 - ~~(c) has one or more of its generating stations connected to the Distribution Network; and~~
 - ~~(d) does not hold a Distribution Licence,~~
- ~~and, for the avoidance of doubt, a Party may be both a DG Party and a Supplier Party.~~

Additional definition

CVA Registrant means a Party that:

- (a) Is a BSC Party; and**
 - (b) is registered in respect of a CVA Metering System for a direct connection to a Distributed System; a registrant of a CVA connection that connects directly to a Distribution System;**
 - and:**
 - (c) does not hold a Distribution Licence,**
- and, for the avoidance of doubt, a Party may be both a CVA Registrant and a Supplier Party.**

CVA Metering System means a Metering System (at a Boundary Point or a Systems Connection Point) which is to be registered in the Central Meter Registration Service

Modified definitions

Gas Supplier Parties means a Party that holds a Gas Supply Licence (whether or not that Party is also a Supplier Party and/or a ~~DG Party~~CVA Registrant).

Metering Point means the point, determined according to the principles and guidance given at Schedule 9 of the Master Registration Agreement, at which a supply to (export) or from (import) a Distribution System:

- (a) is or is intended to be measured; or
- (b) where metering equipment has been removed, was or was intended to be measured; or
- (c) in the case of an Unmetered Supply under the Unmetered Supplies Procedure, is deemed to be measured,

where in each case such measurement is for the purposes of ascertaining a Supplier/~~DG Party~~/CVA Registrant's liabilities under the Balancing and Settlement Code.

Party Category means, as the context requires, one of the following categories:

- (a) the DNO Parties collectively;
- (b) the IDNO/OTSO Parties;
- (c) the Supplier Parties collectively;
- ~~(d) the DG Parties collectively;~~
- (d) the CVA Registrants collectively;**
- (e) the Gas Supplier Parties collectively,

save that, in determining which Party Categories are eligible to vote on a particular Change Proposal, the IDNO Parties and the OTSO Party may be considered separately, so that the IDNO Parties may be eligible to vote on a Change Proposal and the OTSO Party not (or vice versa).

Registered means, in respect of a Supplier/~~DG Party~~/CVA Registrant and:

- (a) a Metering Point, that that Party is registered in respect of that Metering Point under and in accordance with the Master Registration Agreement; and
- (b) a Metering System, that that Party is registered in respect of that Metering System

Supplier/~~DG Party~~/

CVA Metering System has the meaning given to that term in the BSC,

CVA Registrant

means a Party that:

- (a) Is a BSC Party;**
- (b) Is Registered in respect of a CVA Metering System for a direct connection to a Distribution system;**
- and**
- (c) Does not hold a Distribution Licence.**

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And, for the avoidance of doubt, a Party may be both a CVA Registrant and a Supplier Party

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Supplier Party or a DG Party ~~CVA Registrant~~ (and Supplier/DG Party/~~CVA Registrant~~ shall mean the Supplier Parties and the DG Parties ~~CVA Registrants~~ collectively).

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Supplier Party means a Party that holds a Supply Licence and that does not hold a Distribution Licence, and, for the avoidance of doubt, a Party may be both a Supplier Party and a ~~DG Party~~ **CVA Registrant**.

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Section 1B

Panel Composition

- 5.5 The Panel shall comprise the following persons (each a Panel Member):
- 5.5.1 two persons elected by the DNO Parties;
 - 5.5.2 one person elected by the IDNO/OTSO Parties;
 - 5.5.3 two persons elected by the Supplier Parties;
 - 5.5.4 one person elected by the ~~DG Parties~~ **CVA Registrants**; and
 - 5.5.5 any additional person appointed by the Authority in accordance with Clause 5.8.

Share of Costs

- 8.9 Subject to Clause 8.9A, the amount (a Cost Contribution) that each Party shall be obliged to bear as its share of the Recoverable Costs, in respect of each Quarter, shall:
- 8.9.1 in the case of each ~~DG Party~~ **CVA Registrant** (in its capacity as such), the OTSO Party and each Gas Supplier Party (in its capacity as such), be zero; and

Section 1C

Groups – DNO Parties

- 12.3 The IDNO/OTSO Parties, the Supplier Parties, ~~the DG Parties,~~ **the CVA Registrants** and the Gas Supplier Parties shall cast their votes on a corporate group basis, so that all of the Parties in each such Party Category that fall within a single Group shall collectively have only one vote. The DNO Parties shall cast their votes individually, so that each such Party has one vote. References in this Clause 12 and in Clause 13 to a “Group” shall, therefore, in the case of DNO Parties only, be taken as references to a “Party”.

Basic Vote

- 12.11 For the purposes of Clause 12.10, the Basic Vote (V) shall be calculated as follows:

$$V = \frac{N}{TN} \times 100\%$$

where:

N is (subject to Clause 12.12):

in respect of a Group comprised of DNO Parties, the aggregate number of Metering Points which each such DNO Party has on its MPAS Registration System;

in respect of a Group comprised of Supplier Parties, the aggregate number of Metering Points against which those Suppliers are registered across all of the MPAS Registration Systems; and

in respect of a Group comprised of ~~DG Parties~~**CVA Registrants**, the sum of the Maximum Export Capacities or **Maximum Import Capacities (whichever is dominant on a site by site basis)** of all of the Entry Points relating to Metering Systems for which those ~~DG Parties~~**CVA Registrants** are Registered; and

TN is, in respect of any Group, the sum of the values of N for all the Groups within the same Party Category as that Group which cast a vote.

Section 2A

SCOPE OF SECTION 2A

This Section 2A and the Schedules referred to in it set out the terms and conditions under which a DNO Party or an IDNO Party shall provide Use of Distribution System to a Supplier Party, a ~~DG Party~~**CVA Registrant**.

15.2.1 a reference to each Party that is either, or both of, a Supplier Party or a ~~DG Party~~**CVA Registrant** separately and individually and, where an obligation is imposed on, or a right is granted to, a User, that obligation is imposed on, and that right is granted to, each such Party separately and independently; and

15.3.1 only create rights and obligations between DNO/IDNO Parties (on the one hand) and Supplier Parties/~~DG Parties~~**CVA Registrants** (on the other), and shall not create rights or obligations between DNO/IDNO Parties and other DNO/IDNO Parties or between Supplier/~~DG Parties~~**CVA Registrants** and other Supplier/~~DG Parties~~**CVA Registrants**;

16.1.3 ~~where the User is a DG Party, that the User holds a Generation Licence or is exempt from the requirement to hold such a licence pursuant to Section 5 of the Act; where the User is a CVA Registrant, that the User is a party to the BSC and is Registered in respect of a CVA Metering System of a direct connection to a Distribution System; where the User is a CVA Registrant, that the User is a party to the BSC and is the registrant of a direct connection to a Distribution System;~~

Section 2B

36.3.1 only create rights and obligations between DNO Parties/IDNO Parties and other DNO Parties/IDNO Parties, and shall not apply to Supplier/~~DG parties~~**CVA Registrants**;

Section 2C

52A.3.2 not apply to the OTSO Party or to Supplier/~~DG Parties~~/CVA Registrants;

Section 3

Suspension of Rights

54.2 For so long as an Event of Default is continuing, where a Supplier/~~DG Party~~/CVA Registrants is a User under Section 2A, or where a DNO/IDNO/OTSO Party is a User under Section 2B, and, in either case, that Party is a Breaching Party pursuant to:

Schedule 9

- (C) The ~~DG Parties~~CVA Registrants are under certain obligations, under other industry agreements, regarding distribution use of system arrangements, and have agreed to accede to the DCUSA in order to meet those obligations.

Schedule 11 – additional row in table

<p>Current aggregate of Maximum Export/<u>Import</u>* Capacities (DG Parties<u>CVA Registrants</u> only) <u>*whichever is dominant on a site by site basis</u></p>	
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Schedule 19 – 3. HH SITE SPECIFIC DATA

- 3.2 The EDNO shall provide a report to the DNO Party, on or before the 15th day of each month, based on the amounts invoiced to Supplier/~~DG Parties~~/CVA Registrants by the EDNO pursuant to Clause 21 in respect of its Connectees, including all relevant data not previously reported to the DNO Party (and any adjustments to data previously reported).

Schedule 21 – 3. HH DATA

- 3.2 The Secondary NDNO shall provide a report, in the same data format as that referred to in paragraph 3.3 of Schedule 19, to each Primary NDNO, on or before the 15th day of each month, based on the amounts invoiced to Supplier/~~DG Parties~~/CVA Registrants by the Secondary NDNO pursuant to Clause 21 in respect of its Connectees on the Secondary NDNO's Distribution System that are connected (either directly or indirectly via another NDNO's Distribution System) to the Primary NDNO's Distribution System, including all relevant data not previously reported to the Primary NDNO (and any adjustments to data previously reported).