

# DCP 263 Working Group Minutes

<b>Meeting Name</b>	DCP 263 'NTC DEH Gap' Working Group
<b>Meeting Number</b>	02
<b>Date</b>	29 June 2016
<b>Time</b>	10:00
<b>Venue</b>	Web-Conference

Attendee	Company
Peter Waymont (Chair)	UK Power Networks
Angus Rae [AR]	SSE Power Distribution
Peter Turner[PT]	Northern Powergrid
Claire Hynes [CH] (Secretariat)	ElectraLink

Apologies	Company
Chris Ong {CO}	UK Power Networks

## 1 ADMINISTRATION

- 1.1 The Working Group reviewed the "Competition Law Do's and Don'ts". All Working Group members agreed to be bound by the Competition Laws Do's and Don'ts for the duration of the meeting.
- 1.2 The Working Group reviewed the DCP 263 Terms of Reference (ToR). All Working Group members agreed to the terms and the work plan set out in the document for the duration of the Working Group.

## 2 REVIEW OF THE DCP 263 CONSULTATION RESPONSES

- 2.1 The Working Group reviewed and commented on the DCP 263 consultation responses which acts as Attachment 1.
- 2.2 Members considered parties feedback on the DCP 263 draft legal text. Some of the key points are highlighted below:
  - The Working Group agreed that the DEH is the only party that this change should impose an obligation on and to check with the DCUSA legal advisor that the National Terms of Connection (NTC) refers to the non-metered boundary and not directly to customers connected to the private network beyond.
  - One member highlighted that the existing NTC covers equipments whether or not it is used by a tenant or a owner occupier and that the Working Group should be careful to not affect existing drafting that was set out for a different purpose.
  - The Working Group considered that in the Electricity Act a Distribution Exemption Holder (DEH) is defined by a company not meeting specific criteria that would require them to be licenced. However, the definition of DEH should also cover those who do meet the criteria but do not hold a licence or an exemption order as it is not for the DNO to police customer load growth. The Working Group agreed to request the DCUSA legal advisor to review the

Electricity Act and the DCP 124 Authority decision letter in regards to defining DEHs within DCUSA.

- The Working Group agreed to clarify it so that unmetered supplies (UMS) covered by Section 4 of the NTC are excluded from the DEH definition. Members noted that there is a statutory instrument BSCP and BSC Charge Code for unmetered supplies which clearly delineates the difference.
- The Working Group discussed the legal text in the NTC on the right to remain energised and its applicability to DEHs. It is not required for a DEH to have a Supplier registered to their Customer. However, the Customer has to have registered with a Supplier for a DEHs network to be energised. The Working Group agreed to confer with the DCUSA legal advisor on this nuance to drafting the DCP 263 legal text.

2.3 The Working Group noted that the respondents were unanimous in their consideration that DCUSA General Objective 1 is better facilitated by this change.

### **3 NEXT STEPS**

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3.1 The DCP 263 Working Group agreed the next steps as follows:

- To submit the DCP 263 draft legal text and the Working Groups questions based on the consultation feedback to the DCUSA legal advisor for review.
- To draft a change report for review by the Working Group ex-committee;
- To consider the DCUSA legal advisors view on the draft legal text and the DCP 263 draft Change Report at the next Working Group web-conference scheduled for the 18 July 2016;
- To submit the DCP 263 change report to the August or September DCUSA Panel.

**ACTION 02/01: ALL**

### **4 ANY OTHER BUSINESS**

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4.1 There were no items of any other business.

### **5 NEXT MEETING**

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5.1 The next meeting is scheduled for 2:00pm on Friday, 18 July 2016 via web-conference.

### **6 ATTACHMENTS**

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- Attachment 1 – DCP 263 Consultation Responses with Working Group Comments

**APPENDIX A: SUMMARY OF ACTIONS****NEW AND OPEN ACTIONS**

Action Ref.	Action	Owner	Update
02/01	<ul style="list-style-type: none"> <li>To submit the DCP 263 draft legal text and the Working Groups questions based on the consultation feedback to the DCUSA legal advisor for review.</li> <li>To draft a change report for review by the Working Group ex-committee;</li> <li>To consider the DCUSA legal advisors view on the draft legal text and the DCP 263 draft Change Report at the next Working Group web-conference scheduled for the 18 July 2016;</li> <li>To submit the DCP 263 change report to the August or September DCUSA Panel.</li> </ul>	All	

Action Ref.	Action	Owner	Update
01/01	Seek out relevant DEH contacts to circulate the DCP 263 consultation to	All	Completed. The consultation was submitted to over 900 industry parties.
01/02	Draft a consultation for circulation to the Working Group on the 05 May 2016	ElectraLink & PW	Completed.
01/03	<ul style="list-style-type: none"> <li>Review and provide comments on the consultation with a view to signing the consultation off ex-committee; and</li> </ul>	All	Completed.

	<ul style="list-style-type: none"><li>• Where material comments have arisen, members to meet on the 13 May 2016 to discuss the comments and sign off the consultation for issue to an agreed list of industry contacts.</li></ul>		
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