

DCP 255 Draft Legal Text

- 1.22 For avoidance of doubt, where ~~the~~ costs of Reinforcement are borne in whole or in part in full by you and any capacity created is used to accommodate new or increased connections within ~~five ten years~~, the ECCR Prescribed Period, the ECCR will apply (see paragraphs 1.35 - 1.38).

Recovery of costs for previous works

- 1.29 Where, in order to provide your connection;
- we propose to utilise existing Distribution System assets that were previously installed to provide a connection to another Customer, and
 - the other Customer has paid us (either in part or in full) a Connection Charge for those assets

Comment [CH1]: All to consider that this adequately covers the ECCR changes to accommodate inter-distributor connections.

you may be required to make a payment towards them. The ECCR prescribes the circumstances where such payment is required. Charges for such works only apply where the new connection is provided within the ECCR Prescribed Period five ten years commencing on the date of the original Distribution System assets were being provided.

Rebates

- 1.35 For Distribution System assets where you have paid in full, then you may be entitled to a future rebate of charges should another Customer connect to those assets. These circumstances are detailed in the ECCR.

Comment [CH2]: Check whether the under the 2016 regulations that connectees are entitled to a refund if they have paid in whole or in part.

- 1.36 For Distribution System assets where you have paid in proportion to your Required Capacity, then you may also be ~~are not~~ entitled to a future rebate of charges should another customer connect to those assets.

- 1.37 Your entitlement to receive payments under the ECCR which paragraph 1.35 only applies to connections made within the ECCR Prescribed Period five ten years commencing on the date of ~~from~~ the first provision of the first connection.

- 1.38 In some circumstances ~~T~~ these provisions may do not also apply where we have adopted the assets from an ICP though they will be based on our estimate of the ICP's costs associated with those assets as detailed in ~~as we have not incurred the relevant~~

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expenses nor has an initial contributor made payment to us in accordance with Regulations 5 and 5(b) of the ECCR.

Section 2 – Glossary of Terms

ECCR	<u>The Electricity (Connection Charges) Regulations as made under Section 19 of the Act i.e. the Electricity (Connection Charges) Regulations 2002 (SI 2002/93) as amended or the Electricity (Connection Charges) Regulations 2016, as applicable, from time to time.</u>
<u>ECCR Prescribed Period</u>	<u>As described in the ECCR that is applicable to the connection, i.e. five years in the 2002 Regulations and x years in the 2016 Regulations.</u>

Comment [CH3]: Working Group to check the wording of this revised definition with the DCUSA legal advisor.

Comment [CH4]: Consider adding a reference to five –ten years. Between the date of the commissioning of assets and the date of the second connection. Current regulations do not define when the 5 year period ends but the future regulations will state when it starts and ends.