

DCP 210 Working Group Minutes

Meeting Name	DCP 210 Working Group
Meeting Number	03
Date	24 November 2014
Time	14:00
Venue	Web-conference

Attendee	Company
Alex Greetham [AG] (Chair)	UKPN
Angus Rae [AR]	SSE
John Lawton [JL]	ENWL
Maria Hesketh [MH]	Scottish Power
Rosalind Timperley [RT]	ElectraLink
Katherine Rushton [KR] (Secretariat)	ElectraLink

1 ADMINISTRATION

- 1.1 The Working Group agreed the minutes of the previous meeting with no amendments.
- 1.2 All Working Group members agreed to the terms set out in the “Competition Law Dos and Don’ts” document.
- 1.3 A list of all actions opened and closed at this meeting is attached as Appendix A at the end of this document.

2 REVIEW OF DCP 210 CHANGE REPORT

- 2.1 The Working Group reviewed the DCP 210 Change Report circulated prior to the meeting.
- 2.2 The Working Group thought that it would be useful if an example of a work plan is included in Attachment 6 ‘Recommended TOR Changes’ of the Change Report. It was agreed that the work plan for this group, with the inclusion of previous steps, should be added to the attachment (see Attachment 1).

ACTION 03/01: ELECTRALINK

- 2.3 Working Group recommended the following amendments to the Change Report (as shown in as in Attachment 2):
 - The word ‘an’ needs to be included before the word ‘obligation’ in paragraph 7.2.
 - The Clauses referred to in paragraphs 7.2 and 7.3 should be amended from Clause 11.1 and Clause 11.2 to Clause 11.11 and Clause 11.12 respectively.
 - Paragraphs 7.2 and 7.3 need amending to reflect a request that will be made to Wragge’s for all Working Groups to produce a plan to meet the timetable for the progression of their CP and monitor progress towards it (see paragraph 3.2 below).

- The inclusion of a working example of a work plan in Attachment 6 of the Change Report and the inclusion of 'and includes a working example of a draft work plan that a Working Group should produce and routine monitor progress against' in paragraph 10.3 in the Change Report.

3 REVIEW OF DCP 210 LEGAL TEXT

- 3.1 The Working Group reviewed the legal text received from the DCUSA Legal Advisor considering the comments from the DCUSA Legal Advisor and from JL that were circulated prior to the meeting. These comments were:
- Received from the DCUSA Legal Advisor solicitors on 18 November 2014: 'We didn't see the need to reference the Working Group in clause 11.11 as well as in clause 11.12. The reference to the Working Group in clause 11.12 seemed to work on its own. Let me know if we are missing something here'.
 - Received from JL 'the reasoning for the additional text in clause 11.11 was to place an explicit obligation on the working group to undertake such an activity rather than it be hidden in the working group's terms of reference'.
- 3.2 The Working Group preferred the use of the word 'variation' instead of 'extension' in the legal text produced by the DCUSA Legal Advisor and also agreed with JL's comments above and agreed that the legal text should be sent back to Wragge's with a request for the inclusion of wording in Clause 11.11 that would cover:
- 'an explicit obligation for the Working group to develop a plan to meet the timetable and to notify the panel if they don't expect to meet the timetable, with an explanation as to why this timetable is unlikely to be met and what the revised timetable should be.'

4 NEXT STEPS

- 4.1 The attendees agreed to the following next steps:
- The legal text produced by the DCUSA Legal Advisor would be sent back to them with a requirement for an amendment to Clause 11.11 as mentioned in paragraph 3.2 (see Attachment 3).
- ACTION 03/02: ELECTRALINK**
- The Change Report would be modified in light of the discussions today, with the inclusion of an amended example work plan to Attachment 6 of the Change Report.
- ACTION 03/03: ELECTRALINK**
- The modified Change Report and amended legal text would be circulated to Working Group members for comment before the December DCUSA Panel meeting.
- ACTION 03/04: ELECTRALINK**
- A provisional fourth meeting of the Working Group will be arranged to discuss the amendments to the legal text and Change Report.
- ACTION 03/05: ELECTRALINK**

5 ANY OTHER BUSINESS

- 5.1 There were no items of any other business.

6 NEXT MEETING

- 6.1 The next DCP 210 Working Group meeting is provisionally booked from 10 am to 12 pm on Monday 8 December 2014 via webinar.

ATTACHMENTS

Attachment 1 - Recommended TOR Changes_24

Attachment 2 – Change Report_DCP_210_24 November 2014

Attachment 3 - DCP 210 Legal Text - 24 November 2014

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

Action Ref.	Action	Owner	Update
03/01	Add the work plan for DCP 210 to Appendix 6 of the Change Report: Recommended TOR Changes.	ElectraLink	
03/02	Send suggestions on the Legal Text to Wragge's with a final deadline of the 5 December 2014.	ElectraLink	
03/03	Modify the Change Report in light of the Working Group's comments.	ElectraLink	
03/04	Circulate the modified Change Report and Legal text to members of the Working Group.	ElectraLink	
03/05	Arrange a provisional webinar for the 8 December at 10 am to discuss the modified Change Report and Legal Text.	ElectraLink	

ACTIONS AGREED CLOSED AT THE MEETING

Action Ref.	Action	Owner	Update
02/01	Include the timescale analysis spreadsheet in the DCP 210 Change Report. Also, clearly document that DCP 210 should be part of a set of changes, including updates to the standard Working Group Terms of Reference (TORs) and a requirement on Working Groups to produce and work to a defined timetable.	ElectraLink	Closed.
02/02	Working Group members to review the draft DCP 210 Change Report, once circulated by ElectraLink, and provide comments before the next DCP 210 meeting	All	Closed.