

# DCP 209 Working Group Minutes

<b>Meeting Name</b>	DCP 209 Working Group
<b>Meeting Number</b>	10
<b>Date</b>	30 June 2015
<b>Time</b>	10:00
<b>Venue</b>	Web-Conference

Attendee	Company
Chris Allanson [CA] (Chair)	Northern Powergrid
Elaine Carr [EC]	Scottish Power
Maria Hesketh [MH]	Scottish Power
Richard Vernon [RV]	Npower
Sarah McKenna [SM]	Northern Powergrid
Stacey Buck [SB]	GTC
Terri Hamilton [TH]	SSE
Tracey Pitcher [TP]	Western Power Distribution
Lesley Ferrando [LF]	Ofgem
Claire Hynes [CH] (Secretariat)	ElectraLink

Apologies	Company
Andrew Bard [AB]	Gemserv
Helen Fosberry [HF]	E.ON
Paul Hart [PH]	UK Power Networks
Kevin Woollard [KW]	British Gas

## 1 ADMINISTRATION

- 1.1 The minutes of the last meeting were approved with minor amendments.
- 1.2 The Working Group updated the open and closed actions as set out in Appendix A.
- 1.3 The Working Group agreed to abide by the Competition Laws Do's and Don'ts for the duration of the meeting.

## 2 EUROPEAN LEGISLATION

- 2.1 CA reviewed the European Third Package to determine whether there was any relevant legislation that supported the intent of the DCP 209 change (please see Attachment 3). The Chair directed the Working Group to DIRECTIVE 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 July 2009. The Working Group discussed how DCP 209 better facilitates European legislation based on Attachment 1 - DCP 209 and European Legislation paper.
- 2.2 LF suggested that based on the Working Group's argument this CP could be seen to better facilitate European Legislation under DCUSA Objective 5. The Working Group agreed to add how this change best facilitates European legislation to the Change Report.

**ACTION 10/01: CA****3 REVIEW OF THE BEST PRACTICE TEMPLATE LETTERS, DRAFT PROCESS DIAGRAM AND THE DCP 209 DRAFT LEGAL TEXT**

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Template Letters

- Members noted that two new letters had been drafted, one addressing the scenario where the consumer is registered with no MPAN and one addressing the requirement of having a one page letter.
- The Working Group agreed to not have these letters legally reviewed as each Distributor will wish to provide their own corporate writing style to the letter, introduce more plain English versions and determine the approach they take based on the DNOs internal processes.
- The Working Group agreed to add Ofgem's preferred website link to the template letters (<https://www.citizensadvice.org.uk/consumer/energy-supply/>).

**ACTION 10/02: SM**

- The Working Group agreed that the template letters were not mandatory but an available resource that Distributors can use whether or not the change is approved or rejected. The Working Group agreed to make a recommendation to the DCUSA Panel member Kevin Woollard that these template letters be circulated with the Authority decision letter if the DCP 209 change is rejected.

**ACTION 10/03: ELECTRALINK**Draft Process Diagram

- CA advised that the diagram had been modified in accordance with the request that the process steps were explained in more detail. A second tab was added to provide a description of each process step and whether it is best practice or an obligation. The Working Group agreed to check with Kevin Woollard whether the updated process diagram adequately addresses his points and whether as a Supplier they object to the tab 2 description of each process step as either best practice or obligations.

**ACTION 10/04: ELECTRALINK**

- The Working Group agreed to share the process diagram with Parties if the Authority decision on the DCP 209 change is that it is rejected by circulating it with the Authority decision letter as it may be useful to Parties. The Working Group noted that if the change is rejected that the second column of the process diagram would need to be amended.

**ACTION 10/05: ELECTRALINK**Review of the DCP 209 Draft Legal Text

- 3.1 The Working Group reviewed the DCP 209 draft legal text. The Working Group noted that the legal text submitted and modified by SSE Power Distribution as part of its response to the DCP

209 consultation was used as the basis for further changes being reviewed at today's meeting. The amended draft legal text acts as Attachment 2.

- 3.2 The ENWL response to the DCP 209 consultation suggested that the intent of the CP was watered down as the Working Group had only considered in "Clauses 3.4 (focused on one scenario), 3.5 (honest customers) and 3.6 (illegal abstraction)" in the legal text. The Working Group took in to consideration that they had not addressed some of the more difficult scenarios such as those consumers who did not have an MPAN but the Distributor is happy with the condition of the assets and the connection. CA and SM revised the draft legal text to allow for its application to a wider number of unregistered consumer scenarios that may be identified on a site visit to address this comment.
- 3.3 Members noted that the Electricity Act required DNOs to provide 7 days' notice to the consumer before calling to a site to disconnect the meter. The Working Group agreed to not be prescriptive in the legal text on the disconnection process and the method of communication whether it was by e-mail, letter or phone call. The detail of the disconnection process sits outside the scope of this CP.
- 3.4 The Working Group reviewed the new definitions of de-energise and disconnect introduced by the DCP 176 'Housekeeping Change For Disconnection Definition' change implemented on the 26 June 2014 to ensure that the correct definition was referenced in the legal text. The Working Group requested that the definition of 'Disconnect' be added to the definitions section of the DCP 209 draft Schedule.

**ACTION 10/06: ELECTRALINK**

- 3.5 CA took an action to review Section 2A 2(A), 2(C) and 2(D) in the de-energise definition in Section 2 of the DCP 209 draft Schedule.

**ACTION 10/07: CA**

- 3.6 Members noted that Paul Hart had provided comments via e-mail on the draft Schedule and best practice letters. CA agreed to address these comments offline.

**ACTION 10/08: CA**

- 3.7 The Working Group agreed that the use of the current DCUSA definition of Vulnerable Customers would be utilised in the DCP 209 draft legal text. Members noted that Kevin Woollard had agreed to raise a consequential housekeeping change to amend the Vulnerable Customer definition in DCUSA at a later date to prevent adding further complexity to this CP.

#### Change Report

- CA agreed to undertake a first draft of the DCP 209 Change Report and circulate it to members for comments on the 23 July 2015.

**ACTION 10/09: CA**

## **4 WORK PLAN**

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- 4.1 The Working Group agreed to:
  - Submit the DCP 209 draft legal text to the DCUSA legal advisor for review for a period of two weeks on completion of Actions 10/06, 10/07 and 10/08;

- Draft the DCP 209 change report and circulate to Working Group members to review on the 23 July 2015;
- Schedule a meeting on the 28 July 2015 to consider the legal advisor's comments on the draft legal text and to review the Working Group's comments on the draft change report;
- Schedule a provisional meeting for the 04 August 2015 for the Working Group to review and finalise the refined change report.

## **5 AGENDA ITEMS FOR THE NEXT MEETING**

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5.1 The Working Group agreed to add the following item to the next meeting's agenda:

- Consider the legally reviewed DCP 209 draft legal text; and
- Review the DCP 209 draft change report.

**ACTION 10/10: ELECTRALINK**

## **6 ANY OTHER BUSINESS**

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6.1 There were no other items of business.

## **7 NEXT MEETING**

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- 7.1 The next DCP 209 Working Group meeting is scheduled as a web-conference at 10:00am on 28 July 2015.
- 7.2 A provisional meeting date of the 04 August 2015 for the Working Group to review the refined change report pack prior to its submission to the DCUSA Panel has been scheduled.

## **8 ATTACHMENTS**

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- Attachment 1 – European Legislation
- Attachment 2 – DCP 209 Best Practice Template Letters
- Attachment 3 – DCP 209 Draft Legal Text

## APPENDIX A: SUMMARY OF ACTIONS

### NEW AND OPEN ACTIONS

Action Ref.	Action	Owner	Update
09/08	Consider whether some of the steps in the process and visit procedure elements could be placed in an appendix which would not be available on the public section of the DCUSA website but would be available on the password protected section only once the final version of the draft legal text is complete.	All	
10/01	Add how this change best facilitates European legislation to the Change Report	CA	
10/02	Add Ofgem's preferred website link to the template letters <a href="https://www.citizensadvice.org.uk/consumer/energy-supply/">https://www.citizensadvice.org.uk/consumer/energy-supply/</a>	SM	
10/03	Make a recommendation to the DCUSA Panel member Kevin Woollard that these template letters be circulated with the Authority decision letter if the DCP 209 change is rejected.	ElectraLink	
10/04	Check with Kevin Woollard whether the updated process diagram has adequately addressed his points and whether as a Supplier they object to the tab 2 description of each process step as either best practice or obligations.	ElectraLink	
10/05	Circulate the process diagram and the template letters with the Authority decision letter if the DCP 209 change is rejected.	ElectraLink	
10/06	Add the DCP 176 definition of 'Disconnect' to the	ElectraLink	

	definitions section of the DCP 209 draft Schedule.		
10/07	Review Section 2A 2(A), 2(C) and 2(D) in the de-energise definition in Section 2 of the DCP 209 draft Schedule	CA	
10/08	Address Paul Hart's comments via e-mail on the draft Schedule and best practice letters.	CA	
10/09	Draft the DCP 209 Change Report and circulate it to members for comments on the 23 July 2015.	CA	
10/10	Add the following item to the next meeting's agenda: <ul style="list-style-type: none"> <li>Consider the legally reviewed DCP 209 Draft Legal Text; and</li> <li>Review the DCP 209 draft Change Report.</li> </ul>		

**CLOSED ACTIONS**

Action Ref.	Action	Owner	Update
09/01	Submit the DCP 209 Working Group Terms of Reference containing the agreed Work Plan to the June DCUSA Panel.	ElectraLink	Completed.
09/02	Circulate the link provided by Ofgem on the 16 April 2015 for unregistered consumers to utilise in order to determine their preferred Supplier.	ElectraLink	Completed.
09/03	Review the proposed website link for unregistered customers seeking to register their supply and provide the Ofgem preferred website link to the Working Group to reference in the template letters.	Lesley Ferrando	Completed. SM agreed to add the link to the template letters. Recommendation to the DCUSA Panel to share the templates letters with DCUSA Contract Managers as

			guidance whether the CP has been accepted or rejected.
09/04	Amend the draft process diagram as agreed in the meeting.	CA and SM	Completed. Send the draft process diagram to Kevin Woollard and check if it addresses his points.
09/05	Amend the templates letters as agreed in the meeting.	CA and SM	Completed.
09/06	Amend the draft legal text as agreed in the meeting.	CA and SM	Completed.
09/07	Amend the Change report as agreed in the meeting.	CA and SM	Completed.
09/09	Circulate a copy of the housekeeping log in reference to the vulnerable customer definition and the recent change proposal's legal text which defined the term disconnection in DCUSA.	ElectraLink	Completed.
09/10	Add the review of the DCP 209 Draft Legal Text as an agenda item for the next meeting	ElectraLink	Completed.