



DCUSA Change Report

DCP 196 - Panel Ability To Refer A Change
Proposal To The DCUSA Standing Issues Group
For Pre-assessment

1 PURPOSE

- 1.1 This document is issued in accordance with Clause 11.20 of the DCUSA and details DCP 196 'Panel Ability To Refer A Change Proposal To The DCUSA Standing Issues Group For Pre-assessment' (Attachment 3).
- 1.2 The voting process for the proposed variation and the timetable of the progression of the Change Proposal (CP) through the DCUSA Change Control Process is set out in this document.
- 1.3 Parties are invited to consider the proposed amendments (Attachment 2) and submit their votes using the form attached as Attachment 1 to dcusa@electralink.co.uk no later than **08 September 2014**.

2 INTENT OF DCP 196 – 'PANEL ABILITY TO REFER A CHANGE PROPOSAL TO THE DCUSA STANDING ISSUES GROUP FOR PRE-ASSESSMENT'

- 2.1 DCP 196 has been raised by E.ON UK, following discussion by the DCUSA Panel, as a Part 1 Matter¹ to allow the Panel to refer a CP submitted to it to the DCUSA Standing Issues Group (SIG) prior to the CP entering the formal assessment process.
- 2.2 The DCUSA Panel assess the CPs being submitted to the DCUSA change process on a monthly basis. Under DCP 196 it is proposed that in the scenario where a CP fails to provide sufficient detail or the solution is insufficiently developed, the DCUSA Panel could formally refer the CP to the DCUSA SIG for the development of the change. This option will help to facilitate the raising of changes by those parties who are less familiar with the process and provide access to persons with expertise.

3 DCP 196 – WORKING GROUP CONSIDERATIONS

- 3.1 The DCUSA Panel established a Working Group to assess DCP 196. All DCUSA Parties were invited to become a Working Group member with a separate invitation issued to members of the DCUSA SIG as this change if implemented will impact upon its role. The Working Group met on two occasions and was comprised of DNOs and Supplier parties.

¹ DCP 196 has been classified as a Part 1 matter in accordance with Clause 9.5 as it is proposed to add a new clause 10.22 in Section 1C Change Control.

- 3.2 Meetings were held in open session and the minutes and papers of each meeting are available on the DCUSA website – www.dcusa.co.uk.
- 3.3 All Working Group members were supportive of the general principle of DCP 196.
- 3.4 Under DCP 170 '*Code Governance Review Phase 2 Changes*' change discussions took place on the engagement of smaller parties in the DCUSA change process. The Working Group considers that this change would also help the DCUSA code administrator to fulfil the role of 'Critical Friend' as set out in the Code Administrator Code of Practice (CACoP) by allowing the DCUSA Panel to direct the DCUSA SIG to provide support and expertise to those parties who would be less familiar with the change process on the development of their CP to a standard that would be accepted by the DCUSA Panel.
- 3.5 It was noted that the DCUSA Panel agreed that the DCUSA Secretariats role is to be an expert in the DCUSA change process but further expertise required when acting as critical friend would be fulfilled by the DCUSA arrangements in the round. Following referral of a CP and once the DCUSA SIG considers the CP to be sufficiently drafted the CP will be re-submitted to the DCUSA Panel for formal approval thus ensuring a more efficient change process.
- 3.6 The DCUSA Standing Issues Group (SIG) has been established by the DCUSA Panel in accordance with Clause 7.24 of the Agreement. The SIG comprises a cross-section of industry participants and provides an opportunity for DCUSA Parties to raise and discuss issues relating to the operation of the Agreement.
- 3.7 Following a referral of a CP to the DCUSA SIG from the DCUSA Panel it is proposed that an issue number will be allocated to the CP. The DCUSA will review the issue and consider whether a formal change is required to meet the CP's intent or if there are any alternate solutions to consider which would better facilitate the issue raised by the CP. If an issue requires further detail before it can be progressed, a Request For Information (RFI) is submitted to DCUSA Parties. Once the CP is sufficiently developed then it will re-enter the DCUSA Change Process in order to be initially assessed by the DCUSA Panel. The DCUSA SIG operates under the auspices of the DCUSA Panel to meet eight Objectives stipulated under Schedule 7 Clause 2.1 of the DCUSA (Please see Attachment 4).
- 3.8 The Working Group agreed that this change would not be setting a precedent as other industry codes held provisions that allow their equivalent of the DCUSA Panel to refer a

CP to an issues group for further development such as the Issues Resolution Expert Group (IREG) under the Master Registration Agreement (MRA).

- 3.9 The Working Group considers that the change developed by the DCUSA SIG may provide a better solution which has more widespread support by industry parties as members will have had a chance to contribute to the development of the change prior to it entering the DCUSA change process. The Working Group also considers that the development of a better solution may allow for the non-urgent Change Proposals to go through the DCUSA Change Process faster due to more widespread support from the outset.
- 3.10 The Working Group considered that this process would not be suitable for urgent CPs as it may delay the entrance of the CP in to the DCUSA change process and ultimately being implemented in to the DCUSA.
- 3.11 The Working Group agreed that the application of this change expressly helps to facilitate the following CACoP Principles:
- Principle 5 of the CACoP v 3.1 which requires Code Administrators to *“support processes which enable users to access a ‘pre-Modification’ process to discuss and develop Modifications”*.
 - Principle 6 of the CACoP v 3.1 which requires Code Administrators to ensure that *“a proposer of a Modification will retain ownership of the detail of their solution”*.
- 3.12 The Working Group considered that it was critical that the proposer retained ownership of the change as part of the development process of the CP. To achieve this, the DCUSA Panel would refer it back to the proposer to arrange for discussion at the DCUSA SIG. The Working Group considers that this is within the original intent of the change. The Working Group agreed to update the CP form to add a field upon which the proposer may indicate that they are happy to accept a referral to the DCUSA SIG.
- 3.13 The Working Group agreed to add a second field to the CP form which would highlight the role of the DCUSA SIG to new Parties who may not know that they can engage with the DCUSA SIG when developing their CP. The updated CP form acts as Attachment 5.
- 3.14 The Working Group agreed to recommend to the DCUSA Panel that the DCUSA SIG briefing note is updated following the approval of this CP to provide further guidance to Parties on this new role.

4 PROPOSED LEGAL TEXT

- 4.1 The proposed legal text has been reviewed by the DCUSA Legal Advisor and is attached as Attachment 2.
- 4.2 The changes to the DCUSA legal text proposed under DCP 196 amend Section 1C 'Change Control':

Amend Clause 10.12.2, as shown in red:

- 10.12 The Panel shall consider the Change Proposal and the accompanying documents referred to in Clause 10.11.2:
- 10.12.1 in respect of Change Proposals specified as urgent in accordance with Clause 10.4.8, within five Working Days of the proposal's submission;
- 10.12.2 in respect of all other Change Proposals, within 25 Working Days of the proposal's submission,
- and, where necessary, the Panel Secretary shall convene a Panel meeting for such purpose. The Panel shall consider whether to accept or refuse the Change Proposal **or to direct that the Change Proposal should be referred to the DCUSA Standing Issues Group in accordance with Clause 10.12A**, and whether or not the Change Proposal should, in light of the criteria set out in Clause 10.7, properly be treated as urgent. Only Change Proposals that the Panel considers should be treated as urgent shall be treated as **Urgent Change Proposals**.

After Clause 10.12 insert new Clauses 10.12A, 10.12B and 10.12C

- 10.12A Subject to Clause 10.12C, when considering a Change Proposal pursuant to Clause 10.12, the Panel may (having taken into consideration the opinion of the Proposer (if any) expressed on submission of the Change Proposal) determine that the Change Proposal would benefit from pre-assessment by the DCUSA Standing Issues Group, in which case the Panel may direct that the Proposer should refer the Change Proposal to the DCUSA Standing Issues Group. The Panel may not make such a direction in the case of a Change Proposal submitted pursuant to Clause 10.2.5 or a Change Proposal that is an Urgent Change Proposal. The Panel shall record the reasons for any such direction.

10.12B Where the Panel has directed that a Proposer should refer a Change Proposal to the DCUSA Standing Issues Group pursuant to Clause 10.12A, the Proposer may then choose to:

10.12B.1 proceed with the recommended referral to the DCUSA Standing Issues Group; or

10.12B.2 re-submit the Change Proposal in accordance with this Clause 10 (with or without amendment) requesting that the Panel accept the Change Proposal without pre-assessment by the DCUSA Standing Issues Group.

10.12C In the case of Change Proposals re-submitted by a Proposer pursuant to Clause 10.12B.2, the Panel may not direct that the Proposer should refer the Change Proposal to the DCUSA Standing Issues Group.

Amend Clause 10.17 as shown in red:

10.17 Where a Change Proposal is referred to the Panel and where the Panel has not refused to accept the referral of that proposal **and has not directed that it should be referred to the DCUSA Standing Issues Group**, the Panel shall ensure that the proposal is placed into the Assessment Process in accordance with Clause 11.

5 DCP 196 WORKING GROUP CONCLUSIONS

5.1 The Working Group agreed that this CP did not require a consultation as this change:

- is straight forward;
- will have a low impact upon Parties; and
- will not be setting a precedent as other codes already contain the power for a Panel to refer a change to an issues group.

5.2 Furthermore, the Proposer will be allowed to indicate their preference for the CP to be referred by the DCUSA Panel to the DCUSA SIG at the initial assessment stage on the CP form. As a result, the Proposers attendance to develop their CP at the DCUSA SIG is not mandated and they may still choose to work on their CP without using the DCUSA SIG as a resource.

5.3 This CP also strongly advocates that the Proposer retains the ownership of the CP when attending the DCUSA SIG. The DCUSA SIG will help develop the CP but only with the agreement of the Proposer.

5.4 The Working Group concluded that the CP will provide the following benefits:

- the application of this change expressly helps to facilitate the CACoP Principles 5 and 6;
- provides access to expertise to smaller parties and to those parties who have little experience of the DCUSA Change Process;
- assists Proposers in the development of a robust Change Proposal for entering in to the DCUSA Change Process,
- helps to ensure a more efficient administration of the Change Process through the proposal being fit for purpose and the intent sufficiently broad to allow the change to be fully developed without delay or by the development of a solution to an issue which does not require a change being raised to DCUSA.
- increases industry parties awareness of the change prior to entering the change process with an opportunity to provide comments to the Proposer on the changes development.

6 EVALUATION AGAINST THE DCUSA OBJECTIVES

6.1 DCP 196 has been assessed against the DCUSA Objectives:

- Objective 1² – No Impact.
- Objective 2³ – No Impact.
- Objective 3⁴ – No Impact.
- Objective 4⁵ – Better Facilitated.

² The development, maintenance and operation by each of the DNO Parties and IDNO Parties of an efficient, co-ordinated, and economical Distribution System

³ The facilitation of effective competition in the generation and supply of electricity and (so far as is consistent therewith) the promotion of such competition in the sale, distribution and purchase of electricity

⁴ The efficient discharge by each of the DNO Parties and IDNO Parties of the obligations imposed upon them by their Distribution Licences.

⁵ The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it.

- Objective 5⁶ – No Impact.

6.2 The Working Group considers that Objective 4 is better facilitated by allowing a CP a wider pre-assessment by the DCUSA Standing Issues Group. This will ensure a more robust solution is put forward to the formal assessment process or a solution to an issue to be developed that does not necessarily involve a change to DCUSA. Either outcome leads to a more efficient use of the change process and therefore efficient administration of the DCUSA.

7 IMPACT ON GREENHOUSE GAS OMISSIONS

7.1 It is not believed that there is any material impact on greenhouse gas emissions from the implementation of this CP.

8 IMPLEMENTATION

8.1 Subject to Party approval, DCP 196 will be implemented in the next DCUSA release following Authority Consent.

9 PANEL RECOMMENDATION

9.1 The DCUSA Panel approved the DCP 196 Change Report on 20 August 2014. The timetable for the progression of the CP is set out below:

Activity	Target Date
Change Report Approved by DCUSA Panel	20 August 2014
Change Report Issued For Voting	22 August 2014
Party Voting Ends	08 September 2014
Change Declaration	10 September 2014
Authority Decision ⁷	15 October 2014
Implementation ⁸	Next DCUSA Release following Authority Consent

⁶ Compliance with the Regulation on Cross-Border Exchange in Electricity and any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators.

⁷ Indicative decision date based on the 25 Working Day KPI

⁸ Next DCUSA release is the 07 November 2014

10 ATTACHMENTS:

- Attachment 1 – DCP 196 Voting Form
- Attachment 2 – DCP 196 Legal Text
- Attachment 3 – DCP 196 Change Proposal
- Attachment 4 – DCUSA Schedule 7 – DCUSA Standing Issues Group
- Attachment 5 – Updated Change Proposal Form