



## **DCUSA Change Report**

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### DCP 194 - Panel Sending Back Change Reports

## **1 PURPOSE**

- 1.1 This document is the second Change Report issued in respect of DCP 194 'Panel sending back Change Reports'.
- 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 provided as Attachment A and submit votes using the form provided as Attachment B to [dcusa@electralink.co.uk](mailto:dcusa@electralink.co.uk) by **4 April 2014**.

## **2 BACKGROUND AND SUMMARY OF DCP 194 - PANEL SENDING BACK CHANGE REPORTS**

- 2.1 DCP 194 was raised by Eastern Power Networks following discussions by the DCUSA Panel, which had undertaken a project to review certain aspects of the change process. The Change Proposal (CP) seeks to clarify that the Panel may send the Change Report back to a Working Group for more work to be undertaken or material changes of the drafting to be made instead of submitting it to the Voting Procedure. This will enable the Panel to send back the Change Report where it identifies that more work could have been undertaken, more analysis been documented or the Change Report could have better summarised the Working Group's activities. Additional details on the proposed change can be found in the CP form provided as Attachment C.
- 2.2 The CP was initially issued for voting on 20 December 2013, however, during the voting process it was identified that the DCP 194 legal text amends a DCUSA Clause that had recently been amended by DCP 170 'Code Governance Review Phase 2' (Clause 11.22). The DCP 194 text had been drafted on the basis of the legal text prior to the changes made by DCP 170, therefore, to implement the DCP 194 legal text as drafted would invalidate changes made by DCP 170, which it was not the intent of DCP 194 to do. Consequently, when the CP was issued to Ofgem for decision, Ofgem decided to send back the Change asking that the issue be addressed and the CP be resubmitted to Ofgem for decision as soon as reasonably practicable. The send back letter from Ofgem is provided as Attachment D.

### 3 PROPOSED LEGAL DRAFTING

- 3.1 Following receipt of the send back letter, the DCP 194 legal text was amended accordingly. This updated draft legal text has been reviewed by Wragge & Co and is provided as Attachment A.
- 3.2 The legal drafting will amend DCUSA Clause 11.22 to state that the Panel may send a Change Report back to the Working Group, or form a Working Group, if it feels that additional work or significant amendment is required.

### 4 ASSESSMENT AGAINST THE DCUSA OBJECTIVES

- 4.1 DCP 194 has been assessed against the DCUSA Objectives:
- Objective 1<sup>1</sup> – No Impact.
  - Objective 2<sup>2</sup> – No Impact.
  - Objective 3<sup>3</sup> – No Impact.
  - Objective 4<sup>4</sup> – Better Facilitated. The CP will allow the Panel to better ensure the quality of Change Reports.
  - Objective 5<sup>5</sup> – No Impact.

### 5 IMPLEMENTATION

- 5.1 This CP is classified as a Part 1 matter in accordance with Clause 9.5 of the DCUSA. It will therefore require Authority approval.
- 5.2 The proposed implementation date for DCP 194 is the first release following Authority approval.

### 6 IMPACT ON GREENHOUSE GAS OMISSIONS

- 6.1 No material impact on greenhouse gas emissions from the implementation of this CP have been identified.

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<sup>1</sup> The development, maintenance and operation by each of the DNO Parties and IDNO Parties of an efficient, co-ordinated, and economical Distribution System

<sup>2</sup> 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

<sup>3</sup> The efficient discharge by each of the DNO Parties and IDNO Parties of the obligations imposed upon them by their Distribution Licences.

<sup>4</sup> The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it.

<sup>5</sup> 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 PANEL RECOMMENDATION

7.1 The DCUSA Panel approved the DCP 194 Change Report at its meeting on 19 March 2014.

7.2 The timetable for the progression of the Change Proposal is set out below:

Activity	Target Date
Change Report Issued for Voting	21 March 2014
Party Voting Closes	4 April 2014
Change Declaration Issued	8 April 2014
Authority Approval	13 May 2014
Implementation	Next DCUSA Release following Authority Approval

7.3 Parties are invited to vote using the Form provided as Attachment B.

## 8 APPENDICES:

- Attachment A – DCP 194 Proposed Legal Drafting
- Attachment B - DCP 194 Voting Form
- Attachment C – DCP 194 Change Proposal
- Attachment D – Ofgem Send Back Letter