



DCUSA CONSULTATION

DCP 189 - Un-expired Capitalised O&M

1 PURPOSE

- 1.1 The Distribution Connection and Use of System Agreement (DCUSA) is a multi-party contract between electricity Distributors and electricity Suppliers and large Generators. Parties to the DCUSA can raise Change Proposals (CPs) to amend the Agreement with the consent of other Parties and (where applicable) the Authority.
- 1.2 This document is a Consultation issued to Distributors, Suppliers, Consumer Focus and other interested Parties and the Authority in accordance with Clause 11.14 of the DCUSA seeking industry views on DCP 189 'Un-expired capitalised O&M'.
- 1.3 Respondents are invited to consider the questions set out in section 8 below and submit comments using the form attached as Attachment 1 to dcusa@electralink.co.uk by **Wednesday, 27 August 2014.**

2 BACKGROUND OF DCP 189 - UN-EXPIRED CAPITALISED O&M

- 2.1 SP Distribution (SPD)/SP Manweb (SPM) have a number of EHV Distribution Charging Methodology (EDCM) customers who had paid upfront capitalised O&M (Operation and Maintenance) at the point when they connected. Ofgem have granted SPD/SPM a derogation allowing them to exempt these customers from paying the fixed charge component associated with the direct operating cost element of the sole use asset charge. This is to prevent these customers from contributing again to the O&M costs.
- 2.2 The derogation which SP Distribution/SP Manweb has been granted is time limited and Ofgem has advised the DNO that it should seek to bring about an enduring solution by means of an amendment to the EDCM. SP Distribution/ SP Manweb has therefore raised DCP 189 seeking to exempt EDCM customers with un-expired capitalised O&M payments from paying the fixed charge component associated with the direct operating cost element of the SUA charges in their import charges. Full details of the Change Proposal are provided in the CP Form (Attachment 2).
- 2.3 It should be noted that there has been a significant amount of discussion on capitalised O&M for pre-2005 DG connected customers before the EDCM methodology was

approved. Attachment 3 details some of the events associated with the introduction of the EDCM.

3 WORKING GROUP ASSESSMENT OF DCP 189

3.1 The DCUSA Panel established a Working Group to assess DCP 189. The group consists of Distributor and Ofgem representatives. The topics discussed by the Working Group are detailed below.

Scope of DCP 189

3.2 SPD/SPM's derogation applies to some customers that are demand-only and also some that are pre-2005 Distributed Generators. DCP 189 was raised with a view to introducing an enduring solution for these particular customers.

3.3 During its discussions on the Change Proposal the DCP 189 Working Group identified that under the EDCM all pre-2005 Distributed Generation (DG) customers have a time limited exemption on all export charges including O&M but may be picking up O&M costs through their import DUoS charges, even if they have already paid O&M upfront. The Working Group considered whether it is appropriate that DCP 189 should apply to these customers too. In considering this the group noted the following points:

- There were various consultations undertaken on how to treat pre-2005 DGs when the EDCM was established and therefore this area has previously been discussed.
- Information on which customers have paid capitalised O&M is not available for all customers, consequently Ofgem has exempted all pre-2005 generators from paying capitalised O&M on their export.
- If no action is taken then customers that have already paid capitalised O&M may be paying additional contributions towards O&M. However, if the charge is removed for all DG customers because the data is not available to identify the specific ones that have already paid, then the shortfall of allowed revenue that is not collected would need to be recovered from all other customers.

- Under earlier charging methodologies customers were able to choose whether they wished to pay upfront capitalised O&M. It should not be assumed that all customers chose to pay it.
- Where a customer has paid capitalised O&M this generally related to sole use assets. There may be occasions where capitalised O&M was paid towards joint use assets but the Working Group determined that this is out of scope, as the intent of DCP 189 is limited to sole use assets.

3.4 The Working Group concluded that pre-2005 EDCM generators that currently have an exemption should be included within the scope of DCP 189. In other instances, there should not be an assumption that upfront O&M has been paid and evidence will be required to qualify.

Identifying Affected Customers

- 3.5 The majority of the Working Group believe that the default position under DCP 189 should be that all exempt pre-2005 EDCM generators should be exempt from the fixed charge component of the SUA charges in their import charges. As part of this consultation the Working Group is seeking views as to whether you agree with this position.
- 3.6 As an alternative to this approach, it has been suggested that the pre-2005 DG customers that opted in to the EDCM should still receive an exemption under DCP 189, i.e. these customers would not pay the O&M element of the fixed charge on both their import and export. It was suggested by a Working Group member that this approach may conflict with Ofgem's decision on pre-2005 EDCM generators.
- 3.7 For demand only EDCM customers the Working Group agreed that a pragmatic approach would be to place the obligation on the customer to provide evidence where they believe that they have paid upfront O&M. The DNO can then consider each request on a case by case basis.
- 3.8 The Working Group noted that this approach would need to be communicated to EDCM customers so that they are aware of it and could bring forward evidence. It was suggested

that this could be achieved through the Distribution Charging Methodologies Forum (DCMF) and DCMF distribution list.

- 3.9 It was noted that the proposed solution applies only to the sole use asset of EDCM customers.
- 3.10 The sole use assets of schemes where the customer has requested assets above the minimum scheme are not included, because the O&M for these sites is based on network rates and not operation costs. The Working Group noted that a consequential changes could be raised to address the treatment of O&M for customers that connect above the minimum scheme either through the:
- Common Connection Charging Methodology, such that where customers connect above the minimum scheme they do not pay capitalised O&M; or
 - EDCM such that these customers do not pay O&M on the sole use assets above the minimum scheme.
- 3.11 The majority of Working Group members believe that the treatment of O&M for customers that have requested assets above the minimum scheme is out of scope for DCP 189. As part of this consultation your views are sought on whether you agree with this view.

Application of DCP 189

- 3.12 Under normal circumstances all DCUSA changes are applied going forward. It is the view of the Working Group that should DCP 189 be implemented, it is only at the point of implementation of DCP 189 where applicable customers will have their tariffs adjusted and retrospective refunds should not be given.
- 3.13 It was noted that it would be for Ofgem to direct if a retrospective change was to be applied. The group discussed this area with Ofgem and was advised that in general while Ofgem can apply changes retrospectively this will only occur in very specific circumstances, namely:

- Where there had previously been deliberate intent to apply something that was known to be wrong;
- Where it was reasonable to foresee that the application of something was wrong; or
- Where Ofgem had been clear throughout that the intention was to retrospectively apply the modification if approved.

3.14 This does not preclude Ofgem from taking into account comments received in response to the DCP 189 consultation. As part of this consultation you are invited to provide your views on retrospective implementation.

4 IMPACT OF DCP 189

- 4.1 The Working Group has updated the LRIC and FCP EDCM models to reflect the proposed solution. The updated models are provided as Attachment 4 along with a description of the changes made.
- 4.2 The updated models have been used to calculate the impact of DCP 189. As the populated models contain confidential customer data they cannot be published but the spreadsheet provided as Attachment 5 contains information on the impact of the proposed change on all EDCM customers. EDCM customers can identify their sites using the Line Loss Factor Class (LLFC) or their MPANs.
- 4.3 The information in the impact analysis is based on the best data available to DNOs and the number of customers affected may change if evidence is received that a customer is entitled to an exemption.
- 4.4 The Working Group have agreed that the discount applied to the fixed charge for eligible EDCM customers in respect of capitalised O&M payments should be recovered from all customers (i.e. CDCM and EDCM customers).
- 4.5 As the capitalised O&M payments are recovered from CDCM as well as EDCM customers this will have a small impact on CDCM tariffs. The Working Group recognises that this will be a minimal impact.

5 ASSESSMENT AGAINST THE DCUSA OBJECTIVES

5.1 For a DCUSA Change Proposal to be approved it must be demonstrated that it better meets the DCUSA Objectives. There are five General DCUSA Objectives and five Charging Objectives. The full list of objectives is documented in the CP form provided as Attachment 2.

5.2 The Working Group has assessed the CP against the DCUSA objectives and the Working Group members agree that the following DCUSA Objectives are better facilitated by DCP 189.

- **General Objective Three – The efficient discharge by the DNO Parties and IDNO Parties of obligations imposed upon them in their Distribution Licences**

5.3 General Objective Three is better facilitated as DCP 189 will ensure that customers are not charged twice by the DNO for operation and maintenance of the network.

- **Charging Objective Three – that compliance by each DNO Party with the Charging Methodologies results in charges which, so far as is reasonably practicable after taking account of implementation costs, reflect the costs incurred, or reasonably expected to be incurred, by the DNO Party in its Distribution Business**

5.4 Charging Objective Three is better facilitated as the change will reflect the charges incurred ensuring that customers are not charged additional contributions by the DNO for operation and maintenance of the network.

6 PROPOSED IMPLEMENTATION DATE

6.1 The proposed implementation date for DCP 189 is 1 April 2015.

7 DCP 189 LEGAL DRAFTING

7.1 The proposed legal text for DCP 189 is provided as Attachment 6.

8 DCP 189 – CONSULTATION QUESTIONS

- 8.1 You are invited to provide your views on DCP 189 by using the form provided as Attachment 1 to respond to the following questions.

| No. | Question |
|-----|--|
| 1 | Do you understand the intent of the CP? |
| 2 | Are you supportive of the principles established by this proposal? |
| 3 | Do you agree that the default position under DCP 189 should be that all exempt pre-2005 EDCM generators should be exempt from the fixed charge component of the SUA charges in their import charges? |
| 4 | Do you agree that the treatment of O&M for customers that have requested assets above the minimum scheme is out of scope for DCP 189? |
| 5 | Do you agree with the Working Group's recommendation to not amend tariffs retrospectively? |
| 6 | Do you agree with the proposed approach to customers providing evidence where they believe that they have paid upfront O&M? |
| 7 | Are there any unintended consequences of this proposal? |
| 8 | Do you consider that the proposal better facilitates the DCUSA objectives? |
| 9 | Do you have any comments on the proposed legal text? |
| 10 | Are there any alternative solutions or matters that should be considered? |
| 11 | Are you supportive of the proposed implementation date of 1 April 2015? |
| 12 | Do you have any comments on the proposed EDCM model? |
| 13 | Please state any other comments or views on the Change Proposal. |

- 8.2 Responses should be submitted using Attachment A to dcusa@electralink.co.uk no later than **Wednesday, 27 August 2014**.

- 8.3 Responses, or any part thereof, can be provided in confidence. Parties are asked to clearly indicate any parts of a response that are to be treated confidentially.

9 NEXT STEPS

- 9.1 Responses to the Consultation will be reviewed by the DCP 189 Working Group. The group will use the responses received to aid it in its development of the CP.

9.2 If you have any questions about this paper or the DCUSA Change Process please contact the DCUSA Secretariat by email to dcusa@electralink.co.uk or telephone 020 7432 2842.

APPENDICES

- Attachment 1 – Response Form
- Attachment 2 – CP Form
- Attachment 3 – EDCM Timeline
- Attachment 4 – Updated LRIC and FCP EDCM Models
- Attachment 5 – Impact Assessment
- Attachment 6 – Proposed Legal Text