

**Legal Drafting – DCP 164**

**Add the following new definitions to Clause 1:**

- Charging Model** means one of the following models:
- (a) the CDCM model issued by the Panel pursuant to paragraph 3(a) of Schedule 16;
  - (b) the EDCM models issued by the Panel pursuant to paragraph 1.3(a) of Schedule 17 and paragraph 1.3(a) of Schedule 18;
  - (c) the price control disaggregation models issued by the Panel pursuant to paragraph 3(b) of Schedule 16, paragraph 1.3(b) of Schedule 17 and paragraph 1.3(b) of Schedule 18; and
  - (d) the Annual Review Pack model issued by the Panel pursuant to paragraph 1.1 of Schedule 20.
- Pre-Release Charging Model** means a version of a Charging Model which is due to be issued by the Panel under this Agreement (but which has not yet been so issued) incorporating variations to such model that have been accepted pursuant to one or more Change Proposals but that have not yet been implemented.

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**Add a new Clause 14.10**

**Change Proposals Affecting the CDCM and/or the EDCM**

14.10 Where:

- 14.10.1 a Change Proposal provides for a variation to the CDCM and/or the EDCM (or where a Change Proposal otherwise provides for a

variation to this Agreement which has an impact on the application of the CDCM and/or the EDCM);

14.10.2 the implementation date for such Change Proposal accepted in accordance with Clause 13 is 1 April in any year; and

14.10.3 the date on which such Change Proposal was accepted in accordance with Clause 13 occurred less than the 'required period' prior to such implementation date (where the 'required period' is 90 days plus the minimum period of notice required for amendments to Use of System Charges under standard licence condition 14 of the Distribution Licences),

then the implementation date for such Change Proposal shall be deemed to be the second 1 April to occur after the Change Proposal was accepted in accordance with Clause 13 (subject to Clause 14.12, and subject to any subsequent direction by the Authority in accordance with Clause 14.7, 14.8 or 14.9).

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### **Add a new Clause 14.11**

#### **Provision of Pre-Release Charging Models**

14.11 Where an accepted Change Proposal provides for a variation to a Charging Model and the implementation date for such Change Proposal is 1 April in any year, then the Panel shall arrange for a Pre-Release Charging Model to be issued (to incorporate such variation together with any other variation to the Charging Model having the same implementation date). The Panel shall ensure that such Pre-Release Charging Model is issued as soon as reasonably practicable after the Change Proposal is accepted (and, to the extent reasonably practicable, by no later than the start of the 'required period' referred to in Clause 14.12). The Panel shall keep Parties reasonably informed as to progress in producing Pre-Release Charging Models, and shall provide reasons for any delays in producing such models.

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**Add a new Clause 14.12**

**Delay in Issuing a Pre-Release Charging Model**

14.12 Where:

14.12.1 the Panel is required to issue a Pre-Release Charging Model under Clause 14.11 in respect of a Change Proposal; and

14.12.2 such Pre-Release Charging Model is published less than the 'required period' prior to the implementation date for such Change Proposal (where the 'required period' is 50 days plus the minimum period of notice required for amendments to Use of System Charges under standard licence condition 14 of the Distribution Licences),

then the implementation date for such Change Proposal shall be deemed to be the second 1 April to occur after the Pre-Release Charging Model for that Change Proposal is issued (subject to any subsequent direction by the Authority in accordance with Clause 14.7, 14.8 or 14.9).

**Wragge & Co LLP**

**27 June 2013**